

TEXAS PHYSICIAN ASSISTANT BOARD  
LICENSURE COMMITTEE MEETING MINUTES

December 4, 2009

The meeting was called to order at 9:00 a.m. by Chair, Teralea Jones, PA-C. Committee members present were Abelino Abel Reyna, J.D., Michael A Mitchell, D.O., and Edward Zwanziger, PA-C.

**Agenda Item 2 Discussion, recommendation, and possible action regarding licensure applicants referred to the Licensure Committee by the Executive Director for determination of eligibility of licensure.**

**Applicant #887** appeared before the Committee after referral by the Executive Director. **Mr. Reyna** moved to recommend to the full Board that the applicant be referred to the Texas Physicians Health Program (TPHP) and be granted a 12-month Texas physician assistant temporary license with an expiration date that will allow the applicant to obtain at least 800 hours of supervised practice, within 12 months. The temporary license will be subject to the following restrictions: that the applicant work only in a setting that provides continuous on-site physician supervision; the supervising physician shall submit, at the end of the 800 hours and 12 months, no more than one month prior to the temporary license expiring, a log showing time worked and an evaluation regarding the applicants work performance; if the evaluation is favorable, and the applicant has met any requirements of the TPHP, the applicants name may be placed on a list of applicants who have met all requirements for licensure to be considered at the following board meeting; if the evaluation is unsatisfactory, the applicant will be required to appear at the following Board meeting for reconsideration of the application. If the applicant fails to meet the requirements of the TPHP, the temporary license will be rescinded and the applicant be required to appear before the Committee. This recommendation is due to the applicants possible physical impairment and not having actively practiced within either of the last two years. Factors contributing to this recommendation include the applicants inability to work due to

a back injury and multiple surgeries, and being out of practice since 2001. **Dr. Mitchell seconded the motion. All voted in favor. The motion passed.**

**Applicant #827** appeared before the Committee after referral by the Executive Director. **Mr. Reyna moved to recommend to the full Board that the applicant be fined an administrative penalty in the amount of \$750 for failure to disclose action taken by a health care entity on the applicants physician assistant licensure application. The motion was seconded by Dr. Mitchell.**

After further discussion, **Mr. Reyna withdrew his motion and submitted a new motion. Mr. Reyna then moved to recommend to the full Board that the applicant be allowed to withdraw the application and reapply with correct responses.** This recommendation is due to the Committees determination that the falsification was not intentional. **Dr. Mitchell seconded the motion. All voted in favor. The motion passed.**

**Applicant #826** appeared before the Committee after referral by the Executive Director. **Dr. Mitchell moved to recommend to the full Board that the applicants Texas physician assistant license be reactivated, subject to a reprimand and an administrative penalty in the amount of \$4000.** This recommendation is due to practicing without a license. **Mr. Reyna seconded the motion. All voted in favor. The motion passed.**

**Agenda Item 3 Discussion, recommendation, and possible action regarding prescribing for out of practice PAs under temporary licenses** The Committee considered the issue of prescriptive authority for applicants who are issued temporary licenses by the Executive Director, in consultation with the Chair of the Licensure Committee, due to concerns regarding time out of practice. The Committee directed staff to make this determination on a case-by-case basis, with the default determination being to allow prescriptive authority for controlled substances, as a part of the remedial education needed to allow the applicant to become familiar with new drugs and prescribing issues.

**Agenda Item 4 - Discussion, recommendation, and possible action regarding applicant appearing for rehearing regarding eligibility.**

**Applicant #768** appeared with counsel, before the Committee for rehearing. Ms. Jones recused herself and temporarily appointed Dr. Mitchell as Chair. **Mr. Reyna moved to recommend to the full board that the applicant be granted a Texas physician assistant temporary license with an expiration date that will allow the applicant to obtain at least 12 months of supervised practice, subject to the following restrictions: that the applicant work full time, only in a setting that provides continuous full-time, on-site physician supervision; the supervising physician shall submit, one month prior to the temporary license expiring, a log showing time worked and an evaluation regarding the applicants work performance; if the evaluation is favorable, the applicants name may be placed on a list of applicants who have met all requirements for licensure to be considered at the following board meeting; if the evaluation is unsatisfactory, the applicant will be required to appear at the following Board meeting for reconsideration of the application.** This recommendation is due to not having actively practiced within either of the last two years. Factors contributing to this recommendation include being out of practice since 1981, however the applicant has been actively shadowing a physician for the last 10 months. **Mr. Zwanziger seconded the motion. All voted in favor. The motion passed.**

**Agenda Item 5 - Discussion, recommendation, and possible action regarding review of physician assistant applications for permanent licensure.** There were 168 applicants and 4 relicensure applicants who met all requirements to be considered for permanent licensure by the full Board. **Mr. Reyna moved to recommend to the full board that all 168 applicants and 4 relicensure applicants be approved for permanent licensure. Mr. Zwanziger seconded the motion. All voted in favor. The motion passed.**

**Agenda Item 6 Discussion, recommendation and possible action regarding proposed orders offered by the Executive Director.**

Ms. Knight reported on three orders offered by the Executive Director. **Mr. Reyna moved to recommend to the full Board that all the orders be approved as written. Dr. Mitchell seconded the motion. All voted in favor and the motion passed.**

**Agenda Item 7** - There being no further business, the meeting adjourned at 10:11 a.m.