

TEXAS PHYSICIAN ASSISTANT BOARD
LICENSURE COMMITTEE MEETING MINUTES

February 24, 2006

The meeting was called to order at 10:36 a.m. by Chairman, Dwight M. Deter, PA-C. Committee members present were Stephen D. Benold, M.D., Timothy Webb, JD, and Pamela Welch, PA-C.

Agenda Item 2, Executive Session, was considered. Dr. Benold moved, Mr. Webb seconded, and the motion passed at 10:37 a.m. to go into executive session for private consultation and advice of counsel concerning pending or contemplated litigation, deliberations concerning licensure applications, possible disciplinary action and/or possible rehabilitation order under the authority of the Open Meetings Act, GOV'T CODE, §551.071; and the Medical Practice Act, TEX. OCC. CODE ANN., §152.009; and the Physician Assistant Licensing Act, TEX. OCC. CODE ANN., §§204.208, 204.254, 204.305, and 204.306; and Attorney General's Opinion No. H-484.

Open session resumed at 12:29 p.m. and the Chair announced that no final action or decision was taken during executive session. A certified agenda was made.

Agenda Item 4 - Discussion, recommendation, and possible action regarding licensure applicants referred to the Licensure Committee by the Executive Director for determination of eligibility of licensure.

The Licensure Committee conducted hearings to review applicants appearing concerning eligibility. The hearings were conducted in Executive Session for deliberations concerning licensure applications and consideration of possible rehabilitation orders under the authority of the Open Meetings Act, GOVERNMENT CODE, §551.071; and the Medical Practice Act, TEXAS OCCUPATIONS CODE ANNOTATED, §§152.009, 155.058, 160.006, 164.007 and 164.203; and Attorney General's Opinion No. H-484. Following the hearings, the Committee reconvened and considered the applications.

Applicant #449 appeared before the Committee in executive session after referral by the Executive Director. In open session, **Dr. Benold** moved to recommend to the full board that **Applicant #449** be issued a temporary license with an expiration date that will allow the applicant to obtain at least 12 months of supervised practice on the condition that the applicant only work in a setting that provides continuous full-time, on-site physician supervision. Two weeks prior to the temporary license expiring, the supervising physician will submit to this office a log showing time worked and an evaluation to board staff regarding the applicant's work performance. If this evaluation is favorable, **Applicant #449** 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, **Applicant #449** will be required to appear at the following Board meeting for reconsideration of the application. Dr. Benold stated that this motion is due to the applicant being out of practice since August 2001. Factors contributing to this recommendation include the applicant's failure to comply with the Board's rules regarding active practice. **Mr. Webb seconded. All voted in favor. The motion passed.**

Applicant #454 appeared before the Committee in executive session after referral by the Executive Director. In open session, **Mr. Webb** moved to recommend to the full board that **Applicant #454** be issued a temporary license with an expiration date that will allow the applicant to obtain at least 6 months of supervised practice on the condition that the applicant only work in a setting that provides continuous full-time, on-site physician supervision. Two weeks prior to the temporary license expiring, the supervising physician will submit to this office a log showing time worked and an evaluation to board staff regarding the applicant's work performance. If this evaluation is favorable, **Applicant #454** 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, **Applicant #454** will be required to appear at the following Board meeting for reconsideration of the application. It is also recommended to the full Board that, upon compliance with all further requirements of licensure, **Applicant #454** be granted a license subject to the following terms: 1) Public reprimand, and, 2) Administrative penalty of \$500. Mr. Webb stated that

this motion is due to the applicant being out of practice since April 2001 and practicing without a Texas PA license. Factors contributing to this recommendation include the applicant's failure to comply with the Board's rules regarding active practice and the applicant's knowingly practicing without a license. **Dr. Benold seconded.** The committee discussed the motion. **Dr. Benold moved to amend the motion to strike the public reprimand.** **Ms. Welch seconded the motion to amend.** The committee discussed the amendment to the motion. **Mr. Deter called for a vote to accept the amendment.** **Dr. Benold and Ms. Welch voted in favor.** **Mr. Webb was opposed.** The motion passed. The committee then voted on the amended motion which included a recommendation for a 6 month temporary license as previously described and an administrative penalty in the amount of \$500.00. All voted in favor. The motion passed.

Applicant #448 appeared before the Committee in executive session after referral by the Executive Director. In open session, **Ms. Welch moved to recommend to the full board that Applicant #448 be issued a temporary license with an expiration date that will allow the applicant to obtain at least 6 months of supervised practice on the condition that the applicant only work in a setting that provides continuous full-time, on-site physician supervision.** Two weeks prior to the temporary license expiring, the supervising physician will submit to this office a log showing time worked and an evaluation to board staff regarding the applicant's work performance. If this evaluation is favorable, **Applicant #448 may be placed on a list of applicants who have met all requirements for relicensure to be considered at the following board meeting.** If the evaluation is unsatisfactory, **Applicant #448 will be required to appear at the following Board meeting for reconsideration of the application.** Ms. Welch stated that this motion is due to the applicant being out of practice since July 2002. Factors contributing to this recommendation include the applicant's failure to comply with the Board's rules regarding active practice. **Dr. Benold seconded.** **All voted in favor.** **The motion passed.**

Applicant #457 appeared before the Committee in executive session after referral by the Executive Director. In open session, **Dr. Benold moved to recommend to the full Board that the Applicant be granted an unrestricted license.** **Mr. Webb seconded.** **All voted in favor.** **The motion passed.**

Applicant #455 appeared before the Committee in executive session after referral by the Executive Director. In open session, **Mr. Webb moved to recommend to the full board that Applicant #455 be issued a temporary license with an expiration date that will allow the applicant to obtain at least 12 months of supervised practice on the condition that the applicant only work in a setting that provides continuous full-time, on-site physician supervision. Two weeks prior to the temporary license expiring, the supervising physician will submit to this office a log showing time worked and an evaluation to board staff regarding the applicant's work performance. If this evaluation is favorable, Applicant #455 may be placed on a list of applicants who have met all requirements for relicensure to be considered at the following board meeting. If the evaluation is unsatisfactory, Applicant #455 will be required to appear at the following Board meeting for reconsideration of the application.** Mr. Webb stated that this motion is due to the applicant being out of practice since September 1998. Factors contributing to this recommendation include the applicant's failure to comply with the Board's rules regarding active practice. Dr. Benold seconded. All voted in favor. The motion passed.

Applicant #461 appeared before the Committee in executive session after referral by the Executive Director. In open session, **Ms. Welch moved to recommend to the full board that Applicant #461 be issued a temporary license with an expiration date that will allow the applicant to obtain at least 24 months of supervised practice on the condition that the applicant only work in a setting that provides continuous full-time, on-site physician supervision. Two weeks prior to the temporary license expiring, the supervising physician will submit to this office a log showing time worked and an evaluation to board staff regarding the applicant's work performance. If this evaluation is favorable, Applicant #461 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, Applicant #461 will be required to appear at the following Board meeting for reconsideration of the application.** Ms. Welch stated that this motion is due to the applicant being out of practice since graduation from PA school August of 2003. Factors contributing to this recommendation include the applicant's failure to comply with the Board's rules regarding active practice. **Mr. Webb**

seconded. After discussion Dr. Benold amended the motion to include a 12 month temporary license and a mandatory appearance before the board at the end of that period. Mr. Webb seconded. All voted in favor of the amendment. The motion passed. Mr. Deter called for a vote on the full motion complete with amendment. All voted in favor. The motion passed.

Agenda Item 3 - Discussion, recommendation, and possible action regarding review of physician assistant applications for permanent licensure. There were 105 applicants and 4 relicensure applicants who met all requirements to be considered for permanent licensure by the full Board. **Mr. Webb moved to recommend to the full board that all 105 applicants and 4 relicensure applicants for permanent licensure be approved. Dr. Benold seconded the motion. All voted in favor. The motion passed.**

Agenda Item 5 - There being no further business, Dr. Benold moved to adjourn the meeting. Ms. Welch seconded the motion. All voted in favor and the motion passed. The meeting adjourned at 12:55 p.m.