



TEXAS PHYSICIAN ASSISTANT BOARD
BOARD MEETING
March 24, 2017

The meeting was called to order at 10:30 a.m. by Jason Cooper, PA-C, Presiding Officer. Board members present were: Clayton "Clay" P. Bulls, PA-C; Karrie L. Crosby, PA-C, Secretary; Anna Arredondo Chapman; Maribel De Ponce, PA-C; Melinda Gottschalk, PA-C; Victor Ho, M.D.; Teralea Jones, PA-C; Felix Koo, M.D.; Jorge Martinez and R. Blayne Rush. Jennifer L. Clarner, PA-C, and Michael D. Reis, M.D., were not present. Staff members present were Scott Freshour, Interim Executive Director; Megan Goode, Governmental Affairs and Communication Manager; Monique Johnston, Licensure Manager; Rob Blech, J.D., Wendy Pajak, J.D., Amy Swanholm, J.D., Sarah Tuthill, J.D., and Yvette Yarbrough, J.D., Assistant General Counsels; and various other staff.

Agenda item #1, Mission Statement. Mr. Cooper read the board's mission statement into the minutes. *Our Mission is to protect and enhance the public's health, safety and welfare by establishing and maintaining standards of excellence used in regulating the practice of medicine and ensuring quality health care for the citizens of Texas through licensure, discipline, and education*

Agenda item #22 at 10:30 a.m. Consideration and possible actions for Proposal for Decisions.

Beville Smith Hicks, P.A., SOAH #503-14-00408. Mr. Blech gave a procedural overview. Ann Skowronski, J.D., staff attorney, was present. Beville Smith Hicks, P.A., was not present. No one appeared representing Ms. Hicks. Ms. Skowronski gave a presentation. After discussion, **Mr. Rush moved, Ms. Jones seconded, and the motion passed to adopt the Findings of Fact and the Conclusions of Law of the Administrative Law Judge in the Proposal for Decision for Beville Smith Hicks, P.A., and to approve the staff's suggested final order filed for suspension with the following modifications: extend the probation period from three years to five years; add respondent cannot petition the board until the end of this order; cannot work in pain management or a pain management clinic; cannot treat friends or family; required to work in a setting with constant onsite fulltime supervision; and with a clerical correction to change DPRC to Discipline and Ethics.**

There were no items for Agenda item #2.

Agenda item #3, Executive Director's Report.

Budget Report. Ms. Goode presented the Budget Report and reported the projected expenditures and revenue continue to remain on target.

Audit Report. Ms. Goode gave a brief review of the process for the Internal Audit. The auditor's risk assessment recommendation for an audit topic was litigation. The litigation topic was approved by the Medical Board for the FY17 Internal Audit.

Legislative Update. Ms. Goode gave a brief report on the Legislative Session and the submitted FY18-19 Legislative Appropriations Request (LAR). The LAR provides budget, revenue, and performance measure information for five years. Ms. Goode reported the FY18-19 base request is approximately \$13.6 million per year that used the FY16-17 funding levels as a starting point. The LAR submitted included the required 4% budget reduction with exceptional items. The exceptional items include a request for funding for two I.T. projects, additional call center staff, and the restoration of the 4% reduction.

Outreach update. Mr. Freshour presented the 2017 Outreach schedule and reported Amy Swanholm, JD., Assistant General Counsel, will be designated to present the majority of future Outreach presentations. Monique Johnston, Licensure Manager, will continue to make Licensure presentation. Outreach presentations will continue to be presented during the legislation session.

E.D Search Report. Mr. Freshour reported six new Medical Board members were appointed in January, including the appointment of Sherif Z. Zaafran, M.D., as the President. An Executive Search Committee was previously formed to hire an Executive Director prior to the new board member appointments. A revised committee will be appointed to include some of the new Medical Board members to resume the Executive Director search process.

There were no items for Agenda item #4.

Agenda item #5, Physician Assistant Liaison Report. Mr. Martinez gave a report on the January Medical Board meeting. Mr. Cooper encouraged board members to contact him if they are available to attend any future meetings.

Agenda item #6, Public Information Update. Mr. Schneider reported at the end of 2016 the December bulletin was published with a number of items including the announcement of a new Acupuncture Board member and a rules reminder on the required elements of the written prescription authority agreement. The next bulletin will be published in the next few weeks and will include information about the new Medical Board members, a rules reminder, and some other items of interest.

There were no items for Agenda item #7.

Agenda item #8, Update on prior board meeting items. Process for staff to approve licensure applicants, what it will take to create online portal for applicants and call center. Ms. Johnston provided information on an option for a licensure process that would require the board's authorization. After discussion, the board directed and authorized staff to begin a process to once per month issue permanent licensure to candidates who have met all licensure requirements based on staff review and quality assurance checks.

Jeff Clausius, I.T. Manager, provided information on physician assistant applicants submitting documents online. A new online system is being reviewed for physician assistants to submit documents online.

Rhea Hines, Registration Manager provided information to the board on applicants registering online. In order to complete the application validation has to be signed off from the midlevel and physician for the application to be completed in full, at this time online is unable to complete that function.

Rui Bernardo, Executive Support Manager, gave a background summary on the call center. There were four representatives allocated to the call center. Mr. Bernardo reported one representative transferred to another department and then a hiring freeze was announced. The call center currently has 3 active representatives. After peak periods were identified where a majority of the phone calls are received, additional staff were assigned to provide back-up during the identified peak hours.

Ms. Johnston reviewed the licensure process for the board noting that applications are not processed until all the required information is submitted.

There were no items for Agenda item #9.

Agenda item #10, Consideration and Approval of Modification Request/ Termination Request orders. After discussion, Ms. Jones moved, Ms. Chapman seconded, and the motion passed to approve the Termination Granted Order for Robert Portwood P.A.; Order Denying Termination for Ethan Levy P.A.; Order Granting Modification Request for Michael J. Kacal P.A., and Susan D. Thivierge P.A. as presented.

After discussion, Ms. Crosby moved, Mr. Bulls seconded, and the motion passed to approve the Order Granting Termination for Richard Easton (2014 order) and Order Denying Termination for Richard Easton (2015 order), as presented.

After discussion, Ms. Gottschalk moved, Ms. Chapman seconded, and the motion passed to approve the Order Granting Termination for Sharmae Kray, P.A.

Agenda item #11, Consideration and Approval of Agreed Board orders. Mr. Koo recused from consideration of Agreed Order #5 for Fernando Mendez, P.A. After discussion, Ms. Crosby moved, Ms. Chapman seconded, and the motion passed to approve the Agreed Board Orders en masse for Thomas R. Cook, P.A.; Ella Dura, P.A.; Robert Foulk, P.A.; Micheel Kwakye, P.A.; Fernando Mendez, P.A.; Mercedes Deyanira Serrano P.A.; and Gladys A. Huerta, P.A., with a clerical correction on the Agreed Order for Mercedes Deyanira Serrano P.A., correcting the board member's name.

There were no items for Agenda items #12-13.

Agenda item #14, Consideration and Approval of Mediated Settlement Agreement Orders. After discussion, Mr. Martinez moved, Mr. Koo seconded, and the motion passed to approve the Mediated Settlement Agreement Order for Anita D. Shroul P.A.

There were no items for Agenda items #15.

Agenda item #16, Consideration and Approval of Remedial Plans. After discussion, **Mr., Martinez moved, seconded Mr. Koo, and the motion passed to approve the Remedial Plan for Kelly R. Cook, P.A, and Lee A.M. Lentz, P.A.**

There were no items for Agenda item #17-21.

Agenda item #22 at 10:30 a.m. Consideration and possible actions for Proposal for Decisions was heard at 10:30 a.m. earlier in the meeting.

There were no items for Agenda item #23-24.

Agenda item #25, Open Forum for Public Comments. Susan Thivierge signed in to present comments.

Agenda item #26, Consideration and Approval of the November 4, 2016 Board Meeting Minutes. Ms. Chapman moved, Ms. Crosby seconded, and the motion passed to approve the November 4, 2016 Board Meeting Minutes and action items.

Agenda item #27, Committee reports and the consideration and approval of minutes and action items of committees meeting during the board meeting.

Ms. Jones gave a report of the Licensure Committee. **Ms. Jones moved, Ms. Crosby seconded, and the motion passed to approve the March 24, 2017 Licensure Committee Meeting Minutes and Action Items.**

Mr. Bulls gave a report of the Discipline and Ethics Committee. **Mr. Chapman moved, Mr. Martinez seconded, and the motion passed to approve the March 24, 2017 Discipline and Ethics Committee Meeting Minutes and Action Items.**

Agenda item #28, Adjourn. There being no further agenda items, **Ms. Chapman moved, Ms. Crosby seconded, and the motion passed to adjourn at 11:55 a.m.**