

TEXAS PHYSICIAN ASSISTANT BOARD
LICENSURE COMMITTEE MEETING MINUTES

July 9, 2010

The meeting was called to order at 8:33 a.m. by Chair, Teralea Jones, PA-C. Committee members present were Michael A. Mitchell, D.O.; Richard Rahr, Ed.D, PA-C; 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 #948 appeared before the Committee, after referral by the Executive Director. **Dr. Mitchell** 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 six 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 applicant be restricted from prescribing controlled substances; 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. **Dr. Rahr seconded the motion.** This recommendation is due to the applicants professional performance issues in the only position held after graduation from PA school. The committee directed the applicant to make clear to any future employer that the applicants skill level is at the level of a new graduate. **Dr. Rahr seconded the motion. All voted in favor. The motion passed.**

Applicant #988 appeared before the Committee, after referral by the Executive Director. **Dr. Mitchell** moved to recommend to the full Board that the applicant be referred to the Texas

Physicians Health Program, and contingent upon resolution of that referral, the applicant be granted a Texas physician assistant temporary license with an expiration date that will allow the applicant to obtain at least six 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 applicant be restricted from prescribing controlled substances; 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 unsatisfactory, the applicant will be required to appear at the following Board meeting for reconsideration of the application; if the evaluation is favorable, the applicants name may be granted a Texas Physicians Assistant license subject to the following condition: payment of an administrative penalty of \$2000. This recommendation is due to the history of mental impairment, prior restrictions on clinical practice unrelated to professional concerns, falsification of the licensure application and the Committees determination that the falsification was intentional. **Dr. Rahr seconded the motion. All voted in favor. The motion passed.**

Applicant #974 appeared before the Committee after referral by the Executive Director. **Mr. Zwanziger** moved to recommend to the full Board that that applicant be approved for relicensure. **Dr. Mitchell** seconded the motion. **All voted in favor. The motion passed.**

Applicant #941 appeared before the Committee after referral by the Executive Director. **Ms. Jones** moved to recommend to the full Board that the applicant be determined ineligible for a Texas Physician Assistant License. This recommendation is due to the Committees concern that the applicant has been out of practice since 1991. This concern was partially mitigated by the applicants ongoing practice as a registered nurse. However, the Committee directed the applicant to shadow a physician for at least 20 hours a week for 6 months, and then reapply for consideration of licensure. **Dr. Rahr seconded the motion. All voted in favor. The motion passed.**

Applicant #968 appeared with counsel before the Committee after referral by the Executive Director. **Dr. Rahr** moved to recommend to the full Board that the applicant be granted a

Texas Physician Assistants license subject to the following conditions: completion in one year of 20 hours CME in pharmacology and 10 hours CME in Ethics. This recommendation is due to unprofessional conduct regarding a controlled substance prescribing violation resulting in action by another state licensing board. **Dr. Mitchell seconded the motion. All voted in favor. The motion passed.**

Applicant #972 appeared before the Committee after referral by the Executive Director. **Dr. Mitchell moved to recommend to the full Board that the applicant be granted an unrestricted Texas Physician Assistant license. Dr. Rahr seconded the motion. All voted in favor. The motion passed.**

Applicant #952 appeared before the Committee after referral by the Executive Director. **Dr. Rahr moved to recommend to the full Board that the applicant be determined ineligible for a Texas Physician Assistant License.** This recommendation is due to the Committees concern that the applicant has been out of practice since 1987. However, the Committee recommended the applicant to shadow a physician in primary care for at least 20 hours a week for 11 months, and complete CME in primary care, and then reapply for consideration of licensure. **Mr. Zwanziger seconded the motion. All voted in favor. The motion passed.**

Applicant #943 appeared before the Committee after referral by the Executive Director. **Dr. Rahr moved to recommend to the full Board that the applicant be approved for relicensure. Dr. Mitchell seconded the motion. All voted in favor. The motion passed.**

Applicant #765 appeared before the Committee after referral by the Executive Director. **Dr. Mitchell moved to recommend to the full Board that the applicant be granted a Texas Physician Assistant license subject to the following conditions: 20 hours Ethics CME and payment of an administrative penalty of \$2000.** This recommendation is due to dishonorable conduct likely to deceive, defraud or injure the public and submission of a false statement on an application for licensure. Factors contributing to this recommendation include placement on probation in 2007 while in PA school due to academic dishonesty, written warning to the applicant during PA school in 2006 regarding suspected plagiarism, failure to report to the Board

the 2006 written warning in the applicants 2008 licensure application resulting in the Committees offer of an administrative penalty order, as well as the Committees determination that the submission of inaccurate information on the application was intentional. **Dr. Rahr seconded the motion. All voted in favor. The motion passed.**

Applicant #992 appeared with counsel before the Committee, on appeal of a referral to the Texas Physicians Health Program by the Executive Director. **Dr. Rahr moved to recommend to the full Board that the applicant be granted an unrestricted license. Dr. Mitchell seconded the motion. All voted in favor. The motion passed.**

The Committee revisited the issue of Applicant 943 not having to complete all 12 months of the temporary license initially issued. In discussion it was determined that this applicants situation was unusual and the determination should not be considered a precedent for other applicants.

Agenda Item 3 - Discussion, recommendation, and possible action regarding applicant appearing for rehearing regarding eligibility. There were none.

Agenda Item 4 - Discussion, recommendation, and possible action regarding review of physician assistant applications for permanent licensure. There were 145 applicants and 9 relicensure applicants who met all requirements to be considered for permanent licensure by the full Board. **Dr. Mitchell moved to recommend to the full board that all 145 applicants and 9 relicensure applicants be approved for permanent licensure. Dr. Rahr seconded the motion. All voted in favor. The motion passed.**

Agenda Item 5 Discussion, recommendation and possible action regarding proposed orders offered by the Executive Director. Ms. Garanflo reported on two orders offered by the Executive Director. **Mr. Zwanziger 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 6 Report on physician assistant licensure process statistics Ms. Garanflo reported that the applicants licensed at this meeting were completed in an estimated average of 23 days. Board staff continues to use screening process prior to processing an application file. All expected documents must be received prior to processing the application and initiating the application processing time frame.

Agenda Item 7 Discussion, recommendation and possible action regarding licensure application and accompanying instructions. **Mr. Zwanziger moved to recommend to the full Board that discussion on this item be deferred until the next Board meeting. Dr. Mitchell seconded the motion. All voted in favor and the motion passed.**

Agenda Item 8 - There being no further business, the meeting adjourned at 11:59 a.m.