

TEXAS STATE BOARD OF PHYSICIAN ASSISTANT EXAMINERS
LICENSURE COMMITTEE MEETING MINUTES
NOVEMBER 15, 2002

The meeting was called to order at 10:05 a.m. by Chairman, Tony Hedges, D.O. Committee members present were Pamela W. Clark; G. Al Bendeck, PA-C; and Dwight Deter, PA-C. Jerry Walker, Deputy Executive Director; Jennifer Soffer, J.D., Assistant General Counsel; Tim Speer, Manager, Physician Assistant/Acupuncture Division; and various other staff were also present.

Agenda item #2, Executive Session, was considered. Mr. Bendeck moved, Ms. Clark seconded, and the motion passed at 10:05 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 10:32 a.m. and it was announced that no action was taken during Executive Session. A certified agenda was made.

Agenda item #4, regarding licensure applicants referred to the Licensure Committee by the Executive Director for determination of eligibility of licensure, was considered. Applicant #PA-14 appeared before the Committee for the consideration of her application and to discuss being out of practice since 1991. Applicant #PA-14 made a statement and answered committee members' questions. Mr. Bendeck moved, Ms. Clark seconded, and the motion passed to recommend to the full Board that Applicant #PA-14 be granted a temporary license, with the stipulation that Applicant #PA-14 work directly under a supervising physician until the next Board meeting and that the full board, at the next meeting, grant Applicant #PA-14 a full

Physician Assistant license upon receipt of a satisfactory evaluation from their supervising physician.

Applicant #PA-15 appeared before the Committee for the consideration of their application to reactivate their Texas Physician Assistant license and to discuss being out of practice since October 2000. Applicant #PA-15 made a statement and answered committee members' questions. **Mr. Deter moved, Ms. Clark seconded, and the motion passed to recommend to the full Board that Applicant #PA-15 be granted a temporary license, with the stipulation that Applicant #PA-15 work directly under a supervising physician until the next Board meeting and that the full board, at the next meeting, grant approval to reactivate Applicant #PA-15's Physician Assistant license upon receipt of a satisfactory evaluation from their supervising physician.**

The committee reviewed the requested evaluation received from Tom F. Parker, M.D. regarding Applicant #PA-12 and also the verification that they passed the NCCPA recertification examination and is currently certified by NCCPA. The committee requested this information at their last meeting due to Applicant #PA-12 being out of practice since January 2000. **Mr. Deter moved, Mr. Bendeck seconded, and the motion passed to recommend to the full Board that Applicant #PA-12 Physician Assistant license be reactivated.**

Applicant #PA-16 appeared before the Committee for the consideration of her application and to discuss being out of practice since 1985. Applicant #PA-16 made a statement and answered committee members' questions. **Ms. Clark moved to recommend to the full Board that Applicant #PA-16 be granted a temporary license, with the stipulation that Applicant #PA-16 work directly under a supervising physician until the next Board meeting and that the full board, at the next meeting, grant Applicant #PA-16 a full Physician Assistant license upon receipt of a satisfactory evaluation from her supervising physician. The motion died for lack of a second. Mr. Deter moved, Ms. Clark seconded, and the motion passed to recommend to the full Board that Applicant #PA-16 be granted a temporary license, with the stipulation that Applicant #PA-16 work directly under a supervising physician for 6 months and that the full Board, at the meeting following, grant**

Applicant #PA-16 a full Physician Assistant license upon receipt of a satisfactory evaluation from her supervising physician.

Applicant #PA-17 appeared before the Committee for the consideration of their application and to discuss never practicing as Physician Assistant since they graduated from their PA program in August 2000. Mr. Deter made a statement that while he has known Applicant #PA-17 he did not feel that his knowledge of Applicant #PA-17 required recusal but if **Applicant #PA-17** wished him to recuse himself he would. Applicant #PA-17 stated that it was fine for Mr. Deter to participate. Applicant #PA-17 made a statement and answered committee members' questions. **Mr. Bendeck moved, Ms. Clark seconded, and the motion passed to recommend to the full Board that Applicant #PA-17 be granted a temporary license, with the stipulation that Applicant #PA-17 work directly under a supervising physician until the next Board meeting and that the full board, at the next meeting, grant Applicant #PA-17 a full Physician Assistant license upon receipt of a satisfactory evaluation from their supervising physician.**

Applicant #PA-18 appeared before the Committee for the consideration of their application and to discuss being out of practice since July 1995 and being named in a pending malpractice suit. Applicant #PA-18 made a statement and answered committee members' questions. **Mr. Deter moved, Ms. Clark seconded, and the motion passed to recommend to the full Board that Applicant #PA-18 be granted a temporary license, with the stipulation that Applicant #PA-18 work directly under a supervising physician other than their spouse for 6 months and that the full board, at the meeting following, grant Applicant #PA-18 a full Physician Assistant license upon receipt of a satisfactory evaluation from their supervising physician.**

Applicant #PA-19 appeared before the Committee for the consideration of their application and to discuss being out of practice since August 2000. Applicant #PA-19 made a statement and answered committee members' questions. **Mr. Bendeck moved, Mr. Deter seconded, and the motion passed to recommend to the full Board that Applicant #PA-19 be granted a temporary license, with the stipulation that Applicant #PA-19 work directly under a supervising physician until the next Board meeting and that the full board, at the next meeting, grant Applicant #PA-19 a full**

Physician Assistant license upon receipt of a satisfactory evaluation from their supervising physician.

Applicant #PA-20 appeared before the Committee with his attorney, Jeff McDonald, J.D., for the consideration of their application and to discuss his being arrested January 2000 for Driving Under the Influence. Applicant #PA-20 made a statement and answered committee members' questions. **Mr. Bendeck moved, Ms. Clark seconded, and the motion passed to recommend to the full Board that Applicant #PA-20 be granted a Physician Assistant license.**

Applicant #PA-21 appeared before the Committee for the consideration of their application and to discuss their arrest in 1990 for burglary of a building. Applicant #PA-21 made a statement and answered committee members' questions. **Mr. Bendeck moved, Mr. Deter seconded, and the motion passed to recommend to the full Board that Applicant #PA-21 be granted a Physician Assistant license.**

Applicant #PA-22 appeared before the Committee for the consideration of their application and to discuss their arrests in 1992 and 2001 for driving under the influence and driving while intoxicated, respectively. Applicant #PA-22 made a statement and answered committee members' questions. **Mr. Clark moved, Mr. Deter seconded, and the motion passed to recommend to the full Board that Applicant #PA-22 be granted a Physician Assistant license.**

Applicant #PA-23 appeared before the Committee for the consideration of their application and to discuss some of their evaluations from the University of Florida, Division of Hematology/Oncology, dating 4/00 to 5/02, indicating probation. Applicant #PA-23 made a statement and answered committee members' questions. **Mr. Deter moved, Ms. Clark seconded, and the motion passed to recommend to the full Board that Applicant #PA-23 be granted a Physician Assistant license.**

Mr. Deter moved, Mr. Bendeck seconded, and the motion passed at 11:35 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 12:04 p.m. and it was announced that no action was taken during Executive Session. A certified agenda was made.

Mr. Bendeck moved, Ms. Clark seconded, and the motion passed to recommend to the full Board that Applicant #11 be given a temporary Physician Assistant license and be placed under a rehabilitation order for one year with the following stipulations: (1) abstain from the consumption of alcohol, dangerous drugs, or controlled substances in any form unless prescribed by a physician; (2) submit him/herself for appropriate examinations, including screening for alcohol or drugs, at the request of a representative of the Board; (3) be solely responsible for the payment of all costs and charges by any facility which conducts screens; (4) work with on-site supervision at all times, and (5) if a drug screen turns up positive his/her license will automatically be suspended. Applicant #11 will be issued a temporary license once he/she signs the rehabilitation order and at the next Board meeting be issued a permanent license with the stipulations of the rehabilitation order.

Agenda item #3 regarding review of physician assistant applications for permanent licensure, was considered. Tim Speer, Manager of Physician Assistant Licensure, presented to the Committee a list of applicants for physician assistant licensure who had met all requirements. **Ms. Clark moved, Mr. Deter seconded, and the motion passed to recommend to the full Board that the 139 applicants listed be granted Physician Assistant licensure.**

Agenda item #5 regarding a report on supervision requirements for Emergency Room Physicians, was considered. Mr. Speer explained that physicians can delegate prescriptive authority to an unlimited number of Advanced Practice Nurses in a hospital setting but are limited to the number of physician assistants they can delegate to in the same setting. The consensus of the committee was to report this item to the full board in the committee report and defer action on this item to the full Board.

There being no further business, **Mr. Bendeck moved, Mr. Deterseconded, and the motion passed to adjourn the meeting at 12:11 p.m.**