



**TEXAS PHYSICIAN ASSISTANT BOARD
BOARD MEETING
July 17, 2015**

The meeting was called to order at 10:25 a.m. by Felix Koo, M.D., Secretary. Board members present were: Reginald C. Baptiste, M.D.; Anna Arredondo Chapman; Jason P. Cooper, PA-C; Linda C. Delaney, PA-C; Teralea Jones, PA-C; Michael D. Reis, M.D.; and R. Blayne Rush. Staff members present were Scott Freshour, J.D., General Counsel; Megan Goode, Governmental Affairs and Communications Manager; Sarah Tuthill, J.D., Assistant General Counsel; Wendy Pajak, J.D., Assistant General Counsel. Mari Robinson, Executive Director, and Tonie Knight, Licensure Manager, were not present.

Agenda item #2, Board Member Report. A resolution was read into the minutes in honor and recognition of Margaret Bentley, the previous board president, for her outstanding service on the board from October 2000 to January 2015.

Agenda item #3, Executive Director's Report.

Legislative Update. Ms. Goode gave a brief update on legislation related to physician assistants.

Audit Update. Ms. Goode gave an update on the status of the Internal Audit. A report on Internal Audit of the physician licensing process will be presented at the next meeting.

Outreach Update. Ms. Goode presented the Outreach scheduled for 2015 and reported the Outreach program was receiving positive feedback.

Personnel Update. Ms. Goode gave an update on the hiring of additional personnel to implement SB202 which transferred four licensing groups from the Texas Department of State Health Services.

Budget Update. Ms. Goode presented the updated budget.

Board Election Update. Ms. Goode updated the board that an election would be held for a board officer after appointed of the Presiding Officer.

There were no items for Agenda item #4.

Agenda item #19, Consideration and possible action for Proposal for Decision.

David Kelly, P.A., SOAH #503-12-5956. Susan Rodriguez, J.D., staff attorney was present. David Kelly, P.A., was present with representation by attorney, Don Lewis. Mr. Freshour, General Counsel, gave a brief summary of procedural background. Ms. Rodriguez gave a presentation. Mr. Lewis gave a presentation. Mr. Kelly presented comments. Ms.

Rodriguez gave a brief response presentation. After discussion, **Dr. Reis moved, Mr. Rush seconded, and the motion passed to go into Executive Session at 11:18 a.m. for private consultation and advice of counsel concerning pending or contemplated litigation, settlement offers, and/or legal matters subject to the attorney-client privilege under the authority of the Open Meetings Act Section 551.071, Government Code.** The executive session ended at 11:45 a.m. There was no final action, decision, or vote with regard to any matter considered or discussed in executive session. A certified agenda of the executive session was made.

After discussion, **Ms. Delaney moved, Ms. Chapman seconded, and the motion passed to adopt the Findings of Fact and Conclusions of Law recommended by the Administrative Law Judge in the Proposal for Decision, and the suggested Final Order for David Kelly, P.A., by Board staff for revocation.**

There were no items for Agenda item #5.

Agenda item #6, Public Information Update. Jarrett Schneider, Public Information Officer, reported the next bulletin will be issued at the end of July or early August with updated FAQs concerning delegating prescriptive authority to PAs and APRNs in facility-based hospital settings. Mr. Schneider reported the updated FAQs are also available on the website.

Agenda item #7, Consideration and possible action regarding pending litigation. Mr. Freshour gave a brief report of pending litigation.

There were no items for Agenda item #8.

Agenda item #9, Consideration and Approval of Modification Request/Termination Request Orders. After discussion, **Mr. Cooper moved, Ms. Jones seconded, and the motion passed to approve the Modification Request Granted for Sharmae Kray, P.A., as presented.**

Agenda item #10, Consideration and Approval of Agreed Board orders. After discussion, **Mr. Rush moved, Dr. Reis seconded, and the motion passed to approve the Agreed Board orders for Teresa Bedell, P.A.; Michael J. Kacal, P.A.; Darnell D. Morgan, P.A.; Robert N. Portwood, P.A.; Nancy Shakin, P.A.; Taslima A. Karim, P.A.; and Jonathan P. Dollison, P.A., as presented.**

There were no items for Agenda items #11-12.

Agenda item #13, Consideration and Approval of Mediated Settlement Agreement Orders. After discussion, **Dr. Baptiste moved, Mr. Rush seconded, and the motion passed to approve the Mediated Settlement Agreement Order for Latoya D. Abernathy, P.A., as presented.**

There were no items for Agenda item #14.

Agenda item #15, Consideration and Approval of Remedial Plans. After discussion, Mr. Cooper moved, Mr. Rush seconded, and the motion passed to approval the Remedial Plan for Jerry B. Browning, P.A.; Kevin D. Epple, P.A.; and Brandon K. Myers, P.A., as presented.

There were no items for Agenda item #16.

Agenda item # 17, Report on Temporary Suspension/Automatic Orders/Automatic Actions. A report was presented on the Temporary Suspension of Susan D. Thivierge, P.A.

There were no items for Agenda item #18.

Agenda item #19 was heard earlier in the meeting.

There were no items for Agenda item #20.

Agenda item #21, Discussion, recommendation, and possible action regarding proposed amendments to 22 T.A.C. Chapter 185, including approval for publication of proposed rule in the Texas Register: §185.2 Definitions; and §185.3 Meetings and Committees. Sarah Tuthill gave a brief summary. No one signed in to present oral comments. No written comments were received. Mr. Rush moved, Dr. Baptiste seconded, and the motion passed to approve the proposed amendments to 22 T.A.C. Chapter 185 Physician Assistants, §185.2 Definitions; and §185.3 Meetings and Committees and publish in the Texas Register for public comment.

There were no items for Agenda item #22.

Agenda item #23, Open Forum for Public Comments. No one was present to give Public Comments during the Open Forum.

Agenda item #24 Consideration and Approval of the March 6, 2015 Board Meeting Minutes. Mr. Cooper moved, Mr. Rush seconded, and the motion passed to approve the March 6, 2015 Board Meeting Minutes. Dr. Reis abstain.

Agenda item #25, 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. Chapman seconded, and the motion passed to approve the Licensure Committee Meeting Minutes and Action Items.

Ms. Chapman gave a report of the Discipline and Ethics Committee. Ms. Chapman moved, Dr. Baptiste seconded, and the motion passed to approve the Discipline and Ethics Committee Meeting Minutes and Action Items.

Agenda item #27, Adjourn. Ms. Delaney moved, Ms. Chapman seconded, and the motion passed to adjourn at 12:17 p.m.