



TEXAS PHYSICIAN ASSISTANT BOARD
BOARD MEETING
November 2, 2018

The meeting was called to order at 12:46 p.m. by Jason P. Cooper, PA-C, Presiding Officer. Board members present were Clayton "Clay" P. Bulls, PA-C; Anna Arredondo Chapman; Karrie L. Crosby, PA-C, Secretary; Jennifer L. Clarner, PA-C; Victor Shen-Pon Ho, M.D.; Teralea Jones, PA-C; Felix Koo, M.D.; Jorge Martinez; and Michael D. Reis, M.D. Board members Maribel De Ponce, PA-C, and Melinda Gottschalk, PA-C, were not present. Staff members present were Stephen Brint Carlton, J.D., Executive Director; Scott Freshour, General Counsel; Megan Goode, Governmental Affairs and Communication Manager; Sarah Tuthill, J.D., Assistant General Counsel and Wendy Pajak, J.D., Assistant General Counsel; 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 #2, Board Member Report. Mr. Cooper read a Board Resolution and a Texas plaque inscribed thanking Blayne Rush for his service on the board.

Mr. Cooper announced that he is not seeking reappointment to the board and expressed his appreciation for the honor of serving on the Board.

Agenda item #3, Executive Director's Report. Mr. Carlton covered several topics of the agency L.A.R. budget request including Exceptional Items for I.T. equipment updates and cyber security; four new licensing analysts to address the load of SB202 applicants; additional FTEs for a physician investigator and a communication specialist; and increased salaries for current employees to improve employee retention.

Budget Report. Ms. Corrales presented the budget as of September 30, 2018 and reported the projected expenditures and revenue collections are at expected levels.

Legislative Update. Ms. Goode gave a brief update on the prescription monitoring program and reported some anticipated changes being sought in the upcoming legislative session. The Prescription Monitoring Program is scheduled to become effective September 1, 2019. Ms. Goode gave a Legislative update with the 2018 Interim Charges & Hearings related to the Physician Assistants and legislative dates of interest.

Audit Report. Mr. Carlton and Ms. Goode presented a brief report of the Physician Health Program Internal Audit.

There were no items for Agenda item #4.

Agenda item #5, Physician Assistant Liaison Report. Ms. Crosby reported on the prescription delegation, the physician and physician assistant relationship, and the responsibility of each in the delegation relationship. Ms. Crosby commented on K-Star providing ways for returning physician and physician assistants to practice.

Agenda item #6, Public Information Update. Ms. Goode reported staff is working on ways to provide information to physician assistants about the biennial renewal process and other updates, by utilizing the website, the bulletin and Facebook page.

Agenda item #7, Consideration and possible action regarding pending litigation. Mr. Freshour reported on the Jose Perez federal lawsuit and provided an overview of several favorable decisions for the agency in federal lawsuit claims related to the use of instantter subpoenas.

There were no items for Agenda item #8.

Agenda item #9, Consideration and Approval of Modification/Termination Request Orders. After discussion, Mr. Martinez moved, Ms. Chapman seconded, and the motion passed to approve the Modification Granted Orders for Patrick M. Fitzwater, P.A., and Michael J. Kacal, P.A.; and the Termination Granted Orders for Susan D. Thivierge, P.A., and the Christopher Bodily, P.A.

Agenda item #10, Consideration and Approval of Agreed Board Orders. Ms. Crosby was recused for consideration and approval of the agreed order for Bryan C. Spruill, P.A. After discussion, Dr. Ho moved, Dr. Reis seconded, and the motion passed to approve to Vacate the prior Agreed Board for Kantrell R. Harris, P.A.; and approve the Agreed Board Orders Kantrell R. Harris, P.A., Leslie R. Morris, P.A., Bryan C. Spruill, P.A.; Phillip Taylor, P.A., and Mercedes E. Serrano, P.A.

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

Agenda item #13, Consideration and Approval of Mediated Settlement Agreement Orders. After consideration, Dr. Koo moved, Ms. Chapman seconded, and the motion passed to approve the Mediated Settlement Agreement for William J. Brooks, P.A.

There were no items for Agenda item #14.

Agenda item #15, Consideration and Approval of Remedial Plans. After consideration, Ms. Chapman moved, Ms. Crosby seconded, and the motion passed to approve the Remedial Plans for Amy E. Frank, P.A., and Lucy W. Roberts, P.A.

There were no items for Agenda items #16-21.

Agenda item #22, Discussion, recommendation, and possible action, including rule review and proposed amendments to 22 T.A.C. Chapter 185, including approval for publication of proposed rule in the Texas Register:

- **§185.32 Physician Assistants Training for Radiological Procedures**

Ms. Tuthill gave a summary of the proposed rule. Ms. Tuthill reviewed the requirements for physician assistants under the Chapter 601, Section 254, of the Texas Occupations Code concerning minimal training required to perform radiological procedures and clinic training. After discussion, **Ms. Crosby moved, Ms. Chapman seconded, and the motion passed to approve the proposed amendments to T.A.C. Chapter 185, §185.32 Physician Assistants Training for Radiological Procedures, with suggested revisions to eliminate what the board perceived as unnecessary redundancies, for publication in the Texas Register for public comment. The board directed staff to provide a copy to Mr. Cooper and Ms. Crosby for approval before publication.**

There were no items for Agenda item #23.

Agenda item #24, Open Forum for Public Comments. Jaime Capelo with Texas Association of Physician Assistants signed-in and presented public comments.

Agenda item #25, Consideration and Approval of the July 13, 2018 Board Meeting Minutes. After consideration, **Ms. Chapman moved, Mr. Bulls seconded, and the motion passed to approve the July 13, 2018 Board Meeting Minutes and action items.**

Agenda item #26, 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, Dr. Reis seconded, and the motion passed to approve the November 2, 2018 Licensure Committee Meeting Minutes and action items.**

Mr. Bulls gave a report of the Discipline and Ethics Committee. **Mr. Bulls moved, Dr. Koo seconded, and the motion passed to approve the November 2, 2018 Discipline and Ethics Committee Meeting Minutes and action items.**

Agenda item #27, Adjourn. There being no further agenda items, **Dr. Reis moved, Mr. Bulls seconded, and the motion passed to adjourn at 2:12 p.m.**