

TEXAS STATE BOARD OF PHYSICIAN ASSISTANT EXAMINERS  
LICENSURE COMMITTEE MEETING MINUTES  
MAY 2, 2003

The meeting was called to order at 10:10 a.m. by Chairman, Tony Hedges, D.O. Committee members present were G. Al Bendeck, PA-C; and Dwight Deter, PA-C. Donald Patrick, M.D., J.D., Executive Director; Michele Shackelford, J.D., General Counsel; Jennifer Soffer, J.D., Assistant General Counsel; Jaime Garanfio, Director, Customer Affairs; Tim Speer, Manager, Physician Assistant/Acupuncture Division; and various other staff were also present.

**Agenda item #2, Executive Session, was considered. Mr. Bendeck moved, Mr. Deterseconded, and the motion passed at 10:11 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 10:53 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-31 appeared before the Committee for the consideration of their application and to discuss attending PA school longer than the usual period and their arrest in 2000 for Conspiracy to Commit Bank Fraud. Applicant #PA-31 made a statement and answered committee members' questions. **Mr. Bendeck moved, Mr. Deterseconded, and the motion passed to recommend to the full Board that Applicant #PA-31 be granted a Physician Assistant license.**

Applicant #PA-32 appeared before the Committee for the consideration of their application and to discuss being out of practice since June 2001. Applicant #PA-32 made a statement and answered committee members' questions. **Based on the fact that Applicant #PA-32 does not meet the requirement set out in Chapter 185.4(d) of the Board Rules regarding active practice as a Physician Assistant, Mr. Bendeck moved, Mr. Deterseconded, and the motion passed to recommend to the full board that Applicant #PA-32 be issued a temporary license with an expiration date that will allow them to obtain at least six months of supervised practice on the condition that they only work in a setting that provides full-time continuous, on-site physician supervision. And two weeks prior to the temporary license expiring, the supervising physician will submit an evaluation to board staff regarding Applicant #PA-32's work performance. If this evaluation is favorable, Applicant #PA-32's name can 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 not favorable, Applicant #PA-32 will be required to appear at the following Board meeting for reconsideration of their application.**

Applicant #PA-33 appeared before the Committee for the consideration of their application for relicensure and to discuss being out of practice since June 1999. Applicant #PA-33 made a statement and answered committee members' questions. **Based on the fact that Applicant #PA-33 does not meet the requirement set out in Chapter 185.4(d) of the Board Rules regarding active practice as a Physician Assistant, Mr. Bendeck moved, Mr. Deterseconded, and the motion passed to recommend to the full board that Applicant #PA-33 be issued a temporary license with an expiration date that will allow them to obtain at least one year of supervised practice on the condition that they only work in a setting that provides continuous full-time, on-site physician supervision. And two weeks prior to the temporary license expiring, the supervising physician will submit an evaluation to board staff regarding Applicant #PA-33's work performance. If this evaluation is favorable, Applicant #PA-33's name can 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 not**

**favorable, Applicant #PA-33 will be required to appear at the following Board meeting for reconsideration of their application.**

Applicant #PA-34 appeared before the Committee for the consideration of their application and to discuss being out of practice since July 1, 2001. Applicant #PA-34 made a statement and answered committee members' questions. **Based on the fact that Applicant #PA-34 does not meet the requirement set out in Chapter 185.4(d) of the Board Rules regarding active practice as a Physician Assistant, Mr. Bendeck moved, Mr. Deterseconded, and the motion passed to recommend to the full board that Applicant #PA-34 be issued a temporary license with an expiration date that will allow them to obtain at least one year of supervised practice on the condition that they only work in a setting that provides continuous full-time, on-site physician supervision. And two weeks prior to the temporary license expiring, the supervising physician will submit an evaluation to board staff regarding Applicant #PA-34's work performance. If this evaluation is favorable, Applicant #PA-34's name can 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 not favorable, Applicant #PA-34 will be required to appear at the following Board meeting for reconsideration of their application.**

Applicant #PA-35 appeared before the Committee for the consideration of their application for relicensure and to discuss being out of practice since June 1999. Applicant #PA-35 made a statement and answered committee members' questions. **Based on the fact that Applicant #PA-35 does not meet the requirement set out in Chapter 185.4(d) of the Board Rules regarding active practice as a Physician Assistant, Mr. Bendeck moved, Mr. Deterseconded, and the motion passed to recommend to the full board that Applicant #PA-35 be issued a temporary license with an expiration date that will allow them to obtain at least one year of supervised practice on the condition that they only work in a setting that provides continuous full-time, on-site physician supervision. And two weeks prior to the temporary license expiring, the supervising physician will submit an evaluation to board staff regarding Applicant #PA-35's work performance including the number of hours worked weekly. If this evaluation is favorable, Applicant #PA-35's name can 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 not favorable, Applicant #PA-35 will be required to appear at the following Board meeting for reconsideration of their application.

Applicant #PA-36 appeared before the Committee for the consideration of their application and to discuss being out of practice since graduation in September 1999. Applicant #PA-36 made a statement and answered committee members' questions. **Based on the fact that Applicant #PA-36 does not meet the requirement set out in Chapter 185.4(d) of the Board Rules regarding active practice as a Physician Assistant, Mr. Bendeck moved, Mr. Deterseconded, and the motion passed to recommend to the full board that Applicant #PA-36 be issued a temporary license with an expiration date that will allow them to obtain at least six months of supervised practice on the condition that they only work in a setting that provides full-time continuous, on-site physician supervision. And two weeks prior to the temporary license expiring, the supervising physician will submit an evaluation to board staff regarding Applicant #PA-36's work performance. If this evaluation is favorable, Applicant #PA-36's name can 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 not favorable, Applicant #PA-36 will be required to appear at the following Board meeting for reconsideration of their application.**

Applicant #PA-37 appeared before the Committee for the consideration of their application and to discuss attending PA school longer than the usual period and being out of practice since graduation in August 2000. Applicant #PA-37 made a statement and answered committee members' questions. **Based on the fact that Applicant #PA-37 does not meet the requirement set out in Chapter 185.4(d) of the Board Rules regarding active practice as a Physician Assistant, Mr. Bendeck moved, Mr. Deterseconded, and the motion passed to recommend to the full board that Applicant #PA-37 be issued a temporary license with an expiration date that will allow them to obtain at least six months of supervised practice on the condition that they only work in a setting that provides full-time continuous, on-site physician supervision. And two weeks prior to the temporary license expiring, the supervising physician**

will submit an evaluation to board staff regarding Applicant #PA-37's work performance. If this evaluation is favorable, Applicant #PA-37's name can 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 not favorable, Applicant #PA-37 will be required to appear at the following Board meeting for reconsideration of their application.

Applicant #PA-38 appeared before the Committee for the consideration of their application and to discuss being out of practice since graduation in August 2000. Applicant #PA-38 made a statement and answered committee members' questions. **Based on the fact that Applicant #PA-38 does not meet the requirement set out in Chapter 185.4(d) of the Board Rules regarding active practice as a Physician Assistant, Mr. Bendeck moved, Mr. Deterseconded, and the motion passed to recommend to the full board that Applicant #PA-38 be issued a temporary license with an expiration date that will allow them to obtain at least one year of supervised practice on the condition that they only work in a setting that provides full-time continuous, on-site physician supervision. And two weeks prior to the temporary license expiring, the supervising physician will submit an evaluation to board staff regarding Applicant #PA-38's work performance. If this evaluation is favorable, Applicant #PA-38's name can 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 not favorable, Applicant #PA-38 will be required to appear at the following Board meeting for reconsideration of their application.**

Applicant #PA-39 appeared before the Committee for the consideration of their application and to discuss their arrest record and their sobriety. Applicant #PA-39 made a statement and answered committee members' questions. **Mr. Deter moved, Mr. Bendeck seconded, and the motion passed at 12:08 p.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 12:15 p.m. and it was announced that no action was taken during Executive Session. A certified agenda was made.

**Mr. Bendeck moved, Mr. Deter seconded, and the motion passed to recommend to the full Board that Applicant #PA-39's application be deferred for at least one year to allow Applicant #PA-39 to prove his sobriety. The committee made recommendations to Applicant #PA-39 on ways for them to demonstrate sobriety. The committee recommended that Applicant #PA-39: (1) abstain from the consumption of alcohol, controlled substances, or dangerous drugs in any form unless prescribed by a physician; (2) submit themselves to psychiatric counseling with a psychiatrist specializing in addictionology approved by the Executive Director; (3) submit himself for appropriate examinations as requested by his psychiatrist, including random screening for alcohol or drugs; (4) participate in the activities and programs of Alcoholics Anonymous (AA), on a regular basis and maintain documentation as to the number and location of meetings attended; and (5) keep Continuing Medical Education current.**

**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. **Mr. Bendeck moved, Mr. Deter seconded, and the motion passed to recommend to the full Board that the 53 applicants and one relicensure applicant listed be granted Physician Assistant licensure.**

There being no further business, **Mr. Deter moved, Mr. Bendeck seconded, and the motion passed to adjourn the meeting at 12:20 p.m.**