

TEXAS STATE BOARD OF PHYSICIAN ASSISTANT EXAMINERS
BOARD MEETING MINUTES
NOVEMBER 5, 2004

The meeting was called to order at 11:02 a.m. by the Chairman, Timothy Webb, J.D. Board members present were Michael H. Belgard, PA-C; G. Al Bendeck, PA-C; Pamela W. Clark; Dwight M. Deter, PA-C; Tony G. Hedges, D.O.; and Margaret K. Bentley. Staff members present were Jerry T. Walker, M.P.H., Deputy Executive Director; Michele Shackelford, J.D., General Counsel; Robert Simpson, Assistant General Counsel; and various other staff.

Agenda item #2, executive session, was next. Mr. Deter moved, Mr. Belgard seconded, and the motion passed to go into Executive Session for private consultation and advice of counsel concerning pending or contemplated litigation, settlement offers, and deliberations concerning licensure applications, disciplinary action, and possible rehabilitation orders, or matters involving personnel under the authority of the Open Meetings Act, GOVERNMENT CODE, 551.071; and the Medical Practice Act, TEXAS OCCUPATIONS CODE ANNOTATED, 152.009; and the Physician Assistant Licensing Act, TEXAS OCCUPATIONS CODE ANNOTATED, 204.208, 204.254, 204.305, and 204.306; and Attorney Generals Opinion No. H-484. Open session resumed at 12:18 p.m. and it was announced that no action was taken. A certified agenda was made.

Agenda item #5, consideration and approval of Non-Public Rehabilitation Orders and Modification Request/Termination Request of Non-Public Rehabilitation Orders. After discussion, Dr. Hedges moved, Ms. Clark seconded, and the motion passed to approve the Termination Request Order #22 to be effective May 22, 2005, if respondent is in compliance. Mr. Deter voted against the motion.

Mr. Bendeck moved, Ms. Clark seconded, and the motion passed to approve the Termination of Non-Public Rehabilitation Order #21; the Modification of Non-Public Rehabilitation Order #23; and the Non-Public Rehabilitation Orders #27 and #28.

Agenda item #3, Executive Directors report. Mr. Walker gave an update on the Sunset Advisory Commissions report. Kurt Budke, Manager of Compliance, gave a report on the current changes in the frequency and cost for the agency's new drug testing protocol. Ms. Shackelford summarized several proposed rules being sent to stakeholders for their comments. After discussion, Mr. Deter proposed the consideration of a rule that Physician Assistants disciplined in other states not be eligible for licensure in Texas.

Agenda item #4, report regarding the Prescriptive Delegation Waiver Committee requests and recommendations. There were no items to report.

Agenda item #6, consideration and approval of Agreed Board Orders. Dr. Hedges moved, Ms. Clark seconded, and the motion passed to approve the agreed orders on Andrew M. Ferrill, P.A., and Bonnie E. Weiland, P.A., as written.

It was announced that there were no items to consider for agenda items #7-12.

Agenda item #13, discussion regarding proposed addition of Section 193.12 concerning the use of prescriptive medical devices. Ms. Shackelford gave an update on the draft of proposed Section 193.12 being distributed to stakeholders for comments. After discussion, Mr. Deter recommended to modify the rule by excluding item d #3. After discussion, Mr. Webb asked staff for additional information from the Medical Board regarding the qualification of the supervising physician to do the training.

It was announced that there were no items to consider for agenda item #14.

Agenda item #15, consideration and approval of the minutes of the July 30, 2004 Full Board Meeting, was next. Mr. Bendeck moved, Dr. Hedges seconded, and the motion passed to approve the minutes.

Agenda item #16, consideration and approval of the minutes of the July 30, 2004 Licensure Committee Meeting, was next. Ms. Clark moved, Ms. Bentley seconded, and the motion passed to approve the minutes.

Agenda item #17, consideration and approval of the minutes of the July 30, 2004 Disciplinary and Ethics Committee Meeting, was next. Mr. Deter moved, Ms. Clark seconded, and the motion passed to approve the minutes.

Agenda item #18, report and recommendations from the November 5, 2004 Licensure Committee Meeting, was next. Dr. Hedges gave a report recommending approval of 112 applicants for licensure without restriction. Mr. Bendeck moved, Ms. Clark seconded, and the motion passed to approve the report and action items.

Agenda item #19, report and recommendations from the November 5, 2004 Disciplinary and Ethics Committee Meeting, was next. Ms. Bentley gave a report. Mr. Deter moved, Dr. Hedges seconded, and the motion passed to approve the report and action items.

Agenda item #20, adjourn. There being no further business, the meeting adjourned at 1:32 p.m.