



TEXAS PHYSICIAN ASSISTANT BOARD

TEXAS PHYSICIAN ASSISTANT BOARD LICENSURE COMMITTEE MEETING MINUTES

March 20, 2009

The meeting was called to order at 8:35 a.m. by Chair, Pamela Welch, PA-C. Committee members present were Teralea Jones, PA-C, and Abelino Abel Reyna, J.D. Richard R. Rahr, Ed.D., PA-C was temporarily appointed as committee member and attended the meeting to ensure a quorum.

Agenda Item 2 Discussion, recommendation, and possible action regarding licensure applicants referred to the Licensure Committee by the Executive Director for determination of eligibility of licensure.

Applicant #770 appeared before the Committee after referral by the Executive Director. **Mr. Reyna** moved to recommend to the full Board that, upon compliance with all further requirements of licensure, the applicant be granted a Texas physician assistant license subject to the following conditions: completion of 10 hours of Ethics CME within one year, and obtain quarterly counseling sessions for stress management issues with a Licensed Professional Counselor approved by the Executive Director for a duration of 12 months.

This recommendation is due to unprofessional or dishonorable conduct likely to deceive, defraud or injure the public. Factors contributing to this recommendation include placement on suspension and academic probation related to forgery for two months while in PA school. **Ms. Jones** seconded the motion. All voted in favor. The motion passed.

Applicant #767 appeared before the Committee after referral by the Executive Director. **Ms. Jones moved to recommend to the full Board that the applicant be granted an unrestricted license. Mr. Reyna seconded the motion. All voted in favor. The motion passed.**

Applicant #766 previously appeared before the Committee after referral by the Executive Director. The Committee determined the applicant ineligible due to not having actively practiced within either of the two years prior to applying for a license. At the time, the committee recommended that the applicant continue to refresh the applicants medical knowledge for at least six months. The applicant reappeared before the Committee at this meeting for consideration of the licensure application. **Mr. Reyna moved to recommend to the full Board that the applicant be granted a Texas physician assistant temporary license with an expiration date that will allow the applicant to obtain at least 12 months of supervised practice, subject to the following restrictions: that the applicant work full time, only in a setting that provides continuous full-time, on-site physician supervision; the supervising physician shall submit, one month prior to the temporary license expiring, a log showing time worked and an evaluation regarding the applicants work performance; if the evaluation is favorable, the applicants name may 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 unsatisfactory, the applicant will be required to appear at the following Board meeting for reconsideration of the application.** This recommendation is due to not having actively practiced within either of the last two years. Factors contributing to this recommendation include being out of practice since 1990 and shadowing another physician assistant at an orthopedic outpatient clinic of the VA from 3/11/08 through 12/11/08 for a total of 438.50 hours. **Mr. Rahr seconded the motion. All voted in favor. The motion passed.**

Applicant #768 appeared before the Committee after referral by the Executive Director. Ms. Jones was recused from the discussion and action on this applicant. **Mr. Reyna moved to recommend to the full Board that the applicant be determined ineligible for a Texas physician assistant license.** This recommendation is due to not having actively practiced within

either of the last two years. Factors contributing to this recommendation include being out of practice since 1981. **Ms. Welch seconded the motion.** In discussion, the Committee recommended that the applicant continue refreshing medical knowledge by shadowing a primary care physician for at least 12 months full-time prior to reapplying for licensure and that it might be considered favorably by the Committee for a temporary license. **All voted in favor. The motion passed.**

Applicant #769 appeared before the Committee, with counsel Louis Leichter, after referral by the Executive Director. During the appearance the Committee recessed due to computer problems at 9:46 a.m. The meeting reconvened at 9:57 a.m. Mr. Leichter stated that the applicant would take a CME course related to the illness and disease process of addiction. **Mr. Reyna moved to recommend to the full Board that the applicant be granted an unrestricted license. Ms. Jones seconded the motion. All voted in favor. The motion passed.**

Applicant #765 appeared before the Committee after referral by the Executive Director. **Ms. Jones moved to recommend to the full Board that, upon compliance with all further requirements of licensure, the Applicant be granted a Texas physician assistant temporary license with an expiration date that will allow the applicant to obtain at least 12 months of supervised practice, subject to the follow restrictions: completion of 20 hours of Ethics CME approved by the Executive Director; payment of an administrative penalty of \$2,000; the applicant to provide all supervising physicians with a copy of the order that accompanies the temporary license; that the applicant work full-time (20 hrs/week in a 40 week period), only in a setting that provides continuous full-time, on-site physician supervision; the supervising physician shall submit, one month prior to the temporary license expiring, a log showing time worked and an evaluation regarding the applicants work performance including evaluation of the applicants character and honesty; the applicant will be required to appear at the following Board meeting for reconsideration of the application.** This recommendation is due to dishonorable conduct likely to deceive, defraud or injure the public and submission of a false statement on an application for licensure. Factors

contributing to this recommendation include placement on probation in 2007 while in PA school due to academic dishonesty, written warning to the applicant during PA school in 2006 regarding suspected plagiarism, and failure to report to the Board the 2006 written warning. **Mr. Reyna seconded the motion. All voted in favor. The motion passed.**

Agenda Item 3 - Discussion, recommendation, and possible action regarding review of physician assistant applications for permanent licensure. There were 176 applicants and 2 relicensure applicants who met all requirements to be considered for permanent licensure by the full Board. **Mr. Reyna moved to recommend to the full board that all 176 applicants and 2 relicensure applicants be approved for permanent licensure. Ms. Jones seconded the motion. All voted in favor. The motion passed.**

Agenda Item 4 Discussion, recommendation and possible action regarding proposed orders offered by the Executive Director.

Ms. Garanflo reported on the two orders offered by the Executive Director. Ms. Garanflo suggested that the Committee discuss Agenda Item 8 at this time.

Agenda Item 8 Discussion, recommendation, and possible action regarding fine amounts for administrative penalty orders.

The committee discussed the fine amounts for administrative penalty orders. The committee directed staff to utilize guidelines for recommending penalty fee amounts in cases of failure to disclose information to the Board. The committee directed that there be a range from \$500 to \$2,000 per event. Factors to consider include the number of times the event(s) occurred, the severity of the event(s), whether the event(s) criminal actions which would be an aggravating factor, and whether the offense was academic probation that was remediated, which is mitigating.

Regarding Agenda Item 4, **Mr. Reyna moved to recommend to the full Board that the two orders be approved as written. Ms. Jones seconded. All voted in favor and the motion passed.** Mr. Rahr abstained.

Agenda Item 5 - Discussion, recommendation, and possible action regarding reactivation of physician assistant licenses.

There were none.

Agenda Item 6 Report regarding notifications to inactive licensees.

Ms. Garanflo reported that in late February and early March 2009 letters had been mailed to 250 inactive licensees advising them of the 5-year license inactivation rule. Depending on how long they had been inactive, the letter advised them when they would hit the 5-year maximum. Those licensees who had already been on inactive status for 4 years or longer were given a deadline of 6 months after the letter in which to complete reactivation of their licenses or have the licenses cancelled by request.

Agenda Item 7 Report regarding changes in application question language.

Ms. Garanflo reported that recently the application questions were revised by the Texas Medical Board. The committee directed staff to work on the language regarding expunctions.

Agenda Item 9 - There being no further business, the meeting adjourned at 11:45 a.m.