



**TEXAS PHYSICIAN ASSISTANT BOARD
BOARD MEETING
March 6, 2015**

The meeting was called to order at 11:10 a.m. by Felix Koo, M.D., Secretary. Board members present were: Reginald C. Baptiste, M.D.; Jason P. Cooper, PA-C; Linda C. Delaney, PA-C; and Teralea Jones, PA-C. Anna Arredondo Chapman; Michael D. Reis, M.D.; Blayne Rush, were absent. Staff members present were Mari Robinson, J.D., Executive Director; Scott Freshour, J.D., General Counsel; Tonie Knight, Licensure Manager; Megan Goode, Governmental Affairs and Communications Manager; Sarah Tuthill, J.D., Assistant General Counsel; Wendy Pajak, J.D., Assistant General Counsel; Rob Blech, J.D., Assistant General Counsel.

Agenda item #21, Consideration and possible action for Proposal for Decision.

Jillian Graham, PA, SOAH #503-12-3866.PA. Susan Rodriguez, J.D., staff attorney was present. Ms. Graham was present with attorney, Samuel L., Milledge. Mr. Freshour, General Counsel, gave a brief summary of procedure background. Ms. Rodriguez gave a presentation. Mr. Milledge gave a presentation. Ms. Rodriguez gave a brief rebuttal presentation. After discussion, **Ms. Delaney moved, Ms. Jones 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 approve the suggested Final Order by Board staff for revocation.**

Miriam Nuszen, PA, SOAH #503-14-1172.PA. Mr. Freshour gave a brief summary of procedure background. Susan Rodriguez, J.D., staff attorney, was present. Miriam Nuszen, P.A., was not present. Attorneys, Louis Leichter and Darrin Dest appeared representing Ms. Nuszen. Ms. Rodriguez gave a presentation. Mr. Leichter gave a presentation. Ms. Rodriguez gave a brief rebuttal statement. Ms. Robinson gave an explanation of a Summary Disposition/Judgement. Mr. Leichter gave a brief rebuttal. Ms. Robinson summarized the board's options. Mr. Leichter gave a brief statement. Ms. Rodriguez gave a second brief rebuttal statement. Mr. Leichter gave another brief statement. After discussion, **Mr. Cooper moved, Ms. Delaney seconded, and the motion passed to approve the staff's proposed final order for revocation and changes to the Findings of Fact and Conclusions of Law as staff recommended.**

Agenda item #23, Discussion, recommendation, and possible action, including adoption of proposed amendment to 22 T.A.C. Chapter 185, Physician Assistants.

§185.4 Procedural Rules for Licensure Applicants. No one signed in to present oral comments. No written comments were received. **Dr. Baptiste moved, Ms. Delaney seconded, and the motion passed to adopt the proposed amendments to 22 T.A.C. Chapter 185 Physician Assistants, §185.4 Procedural Rules for Licensure Applicants and refer to the Medical Board for adoption.**

Agenda item #2, Board Member Report. Agenda item #2 was deferred to next board meeting.

Agenda item #3, Executive Director's Report.

Legislative Update. Ms. Robinson gave an update on legislation related to physician assistants.

Audit Update. Ms. Robinson gave an update on the Internal Audit. Moving forward on physician licensing audit

Outreach update & communication. Ms. Robinson report an Outreach presentation was given at each of the physician assistant schools.

Budget Update. Ms. Robinson presented the budget which is predicted to be a tight budget cover projected expenses.

Board Election Update. Ms. Robinson updated the board that an election would be held for a board officer at the next board meeting.

There were no items for Agenda item #4.

Agenda item #5, Discussion, recommendation, and possible action regarding documentation for orders processed and pending orders. After discussion, the board directed staff to implement the process to provide additional documentation for board orders presented to the board that are not within the guidelines.

Agenda item #6, Discussion, recommendation, and possible action regarding continuing medical education for board activities. Ms. Robinson reported that board activities and board meetings cannot be counted towards annual requirements for CME hours specifically towards Category I CME, however, if it is related to improving patient care then Category II CME can be earned.

Agenda item #7, Discussion, recommendation, and possible action regarding applicant work history. After discussion, the board directed staff to continue to use the current process to gather an applicant's work history.

Agenda item #8, Consideration and possible action regarding pending litigation. Mr. Freshour gave a brief report of pending litigation.

There were no items for Agenda items #9-10.

Agenda item #11, Consideration and Approval of Modification Request/ Termination Request Orders. After discussion, the board directed staff to implement a process not to re-litigate, but to provide additional information for modification/termination requests at

ISCs 1.) Provide previous ISC information, Summary of Allegations; expert statement; and witness statement; 2.) Cover letter; 3.) Ask every ISC panel, the time period before a Respondent may request a modification or termination; compliance status; and include the compliance history.

After discussion, **Dr. Baptiste moved, Mr. Cooper seconded, and the motion passed to pull the #1 and #2 Modification Request Orders and reschedule another ISC for the Respondents.**

After discussion, **Mr. Cooper moved, Ms. Jones seconded, and the motion passed to approve the Termination Request order for James J. Govoni, P.A., and to deny the Termination Request for Glen A. Mitchell, P.A., as presented.**

Agenda item #12, Consideration and Approval of Agreed Board Orders. After discussion, **Dr. Baptiste moved, Ms. Jones seconded, and the motion passed to approve the Agreed Board orders for Samuel C. Chidoka, P.A., and Richard Easton, P.A., as presented.**

There were no items for Agenda items 13-16.

Agenda item #17, Consideration and Approval of Remedial Plans. After discussion, **Mr. Cooper moved, Dr. Baptiste seconded, and the motion passed to approve the Remedial Plans for Jeffrey A. Brooks, P.A., and Thomas Oresman, P.A., as presented.**

There were no items for Agenda item #18.

Agenda item #19, Report on Temporary Suspension/Automatic Orders/Automatic Actions. A report was presented on the temporary suspension of David William Lewis, P.A. and Susan D. Thivierge, P.A.

There were no items for Agenda item #20.

Agenda item #21 was heard earlier in the meeting.

There were no items for Agenda item #22.

Agenda item #23 was heard earlier in the meeting.

Agenda item #25, Consideration and Approval of the December 5, 2014 Board Meeting Minutes. **Mr. Cooper moved, Dr. Baptiste seconded, and the motion passed to approve the December 5, 2014 Physician Assistant Board Meeting Minutes.**

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. Baptiste seconded, and the motion passed to approve the Licensure Committee Meeting Minutes and Action Items.

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

Agenda item #24 Open Forum for Public Comments. No one signed in to present public comments.

Agenda item #27, Adjourn. Dr. Baptiste moved, Ms. Jones seconded, and the motion passed to adjourn at 12:28 p.m.