



**TEXAS PHYSICIAN ASSISTANT BOARD
BOARD MEETING
November 22, 2013**

The meeting was called to order at 11:24 a.m. by Margaret K. Bentley, Presiding Officer. Board members present were Reginald C. Baptiste, M.D.; Linda Contreras, PA-C; Teralea Jones, PA-C; R. Blayne Rush; and Stanley Wang, M.D, liaison from the Medical Board. Felix Koo, M.D.; Anna Chapman; and Michael Reis, M.D, were not present. Staff members present were Mari Robinson, J.D., Executive Director; Robert Bredt, M.D., Medical Director; Scott Freshour, J.D., General Counsel; Tonie Knight, Licensure Manager; Sarah Tuthill, J.D., Assistant General Counsel; and Wendy Pajak, J.D. Assistant General Counsel.

The board's mission statement was read: *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 #8, Consideration and possible action for Proposal for Decision at 11:00 a.m.

- 1. Jeshua Barak, P.A., SOAH #503-13-4125.PA.** Franklin Hopkins, J.D., staff attorney was present. Mr. Barak was not present and no one was identified as representing Mr. Barak. Mr. Hopkins gave a presentation. After discussion, **Ms. Jones moved, Dr. Baptiste 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 the Final Order filed by Board staff for revocation.**
- 2. Derrick Goodwill, P.A., SOAH #503-12-3922.PA.** Franklin Hopkins, J.D., staff attorney was present. Mr. Goodwill was not present. Samuel L. Milledge appeared representing Mr. Goodwill. Mr. Hopkins gave a presentation. Mr. Milledge gave a presentation. Mr. Hopkins gave a presentation. After discussion, **Mr. Rush 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 the Final Order filed by Board staff for revocation.**

Agenda item #2, Board Member report. Ms. Bentley presented a resolution in recognition of Richard R. Rahr, Ed.D, PA-C, dedicated service to the board from February 2007 to September 2013.

Agenda item #3, Executive Director's report.

Legislative Update. Ms. Robinson gave a brief legislative update pertaining to the Board.

Audit Update. Ms. Robinson presented the proposed FY14 Internal Audit Plan that will focus on mail processing and cash receipts controls areas under the Finance division. The

results and recommendations from the FY13 Internal Audit on Governance were reviewed. The Board was receptive to attending a future retreat for members.

Outreach Update and Communications. Ms. Robinson reported four out of seven Physician Assistant schools have received the outreach presentation thus far this year.

Agenda item #4, Medical Director Report

DPS Monitoring. Dr. Bredt informed the Board of a tool that is available to monitor a respondent's prescribing habits during the lengthy SOAH proceedings.

Agenda item #5, Budget update. Ms. Robinson reported the budget was on target with no indication of budget deficits.

Agenda item #21, at 12:00 p.m. Discussion, recommendation, and possible action, including adoption of proposed amendment to 22 T.A.C. Chapter 185, Physician Assistants.

§185.29 Report of Impairment on Registration Form Ms. Tuthill gave a brief summary of proposed amendments to Chapter 185. No written comments were received. After discussion, **Mr. Rush moved, Dr. Baptiste seconded, and the motion passed to adopt proposed amendments to 22 T.A.C. Chapter 185, Physician Assistants, §185.29 Report of Impairment on Registration Form.**

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

§185.2 Definitions. Ms. Tuthill gave a brief summary of the proposed amendments to 185.2. No written comments were received. No one signed in to present oral comments. After discussion, **the Board directed staff to bring back information on physician assistant registration of active supervising physician information with the Board.**

§185.10 Physician Assistant Scope of Practice. Ms. Tuthill gave a brief summary of the proposed amendments to 185.10. No written comments were received. No one signed in to present oral comments

§185.11 Tasks Not Permitted to be Delegated to a Physician Assistant. Ms. Tuthill gave a brief summary of the proposed amendments to 185.11. No written comments were received. No one signed in to present oral comments.

§185.13 Notification of Intent to Practice and Supervise. Ms. Tuthill gave a brief summary of the proposed amendments to 185.13. No written comments were received. No one signed in to present oral comments.

§185.14 Physician Supervision. Ms. Tuthill gave a brief summary of the proposed amendments to 185.14. No written comments were received. No one signed in to present oral comments.

§185.16 Employment Guidelines. Ms. Tuthill gave a brief summary of the proposed amendment to 185.16. Written comments were received. Karrie Crosby, Texas Academy of Physician Assistants and James Delaney, PA-C, signed-in and presented oral comments.

After discussion, **Ms. Contreras moved, Dr. Baptiste seconded, and the motion passed to approve the proposed amendment to 22 T.A.C. Chapter 185, §185.2-185.14, for publication in the Texas Register for public comments as written.**

After discussion, the Board directed staff to research legislative history related to limits on the number of physician assistants a physician may supervise under §185.16, present the information at the next board meeting.

§185.30 Prescriptive Authority Agreements. Ms. Tuthill gave a brief summary of the proposed amendment to 185.30. No written comments were received. No one signed in to present oral comments.

§185.31 Prescriptive Authority Agreements: Minimum Requirements. Ms. Tuthill gave a brief summary of the proposed amendment to 185.31. No written comments were received. No one signed in to present oral comments.

After discussion, **Dr. Baptiste moved, Ms. Contreras seconded, and the motion passed to approve the proposed amendment to 22 T.A.C. Chapter 185, §185.30 and §185.31, for publication in the Texas Register for public comments as written.**

Agenda item #23, Open Forum for Public Comments. No one signed-in to present public comments.

Agenda item #6, Medical Board/Physician Assistant Liaison update. Dr. Wang gave a report on the last Medical Board meeting. Dr. Baptiste was appointed as the Physician Assistant Liaison.

Agenda item #7, Consideration and possible action regarding pending litigation. Mr. Freshour gave a brief litigation summary pertaining to the Board.

There were no items for Agenda item #9.

Agenda item #10, Consideration and Approval of Modification Request/ Termination Request Orders. After consideration, **Mr. Rush moved, Dr. Baptiste seconded, and the motion passed to approve the Termination Granted Order for Kristen W. Fletcher, P.A.; the Termination Denied Orders for Rachel Kartanowicz, PA; and Suzanne Self, P.A.**

Agenda item #11, Consideration and Approval of Agreed Board Orders. After discussion, **Mr. Rush moved, Dr. Baptiste seconded, and the motion passed to approve the Agreed Board Orders en masse for Allison Burkhart-Webb, P.A.; Warren C. Dial, P.A.; Prentiss L. Harrison, P.A.; Michael Kacal, P.A.; Despee B. Konneh, P.A.; Sharmae R. Kray, P.A.; Kasey Murphy, P.A.; Derek Pelletier, P.A.; Shannon A. Ruth, P.A.; David E.**

Trejo, P.A.; Amanda Waters, P.A.; David C. West, P.A.; Larry Dr. Wilson, P.A.; and Nichole G. Cahero, P.A.

There were no items for Agenda items #12-13.

Agenda item #14, Consideration and Approval of Mediated Settlement Agreement Orders. After consideration, **Dr. Baptiste moved, Mr. Rush seconded, and the motion passed to approve the Mediated Settlement Agreement Orders for Frank Radke, P.A.; Andrew Vargas, P.A.; Patrick M. Fitzwater, P.A.; and Mark H. Kett, P.A.**

There were no items for Agenda item #15.

Agenda item #16, Consideration and Approval of Remedial Plans. After discussion, **Dr. Baptiste moved, Mr. Rush seconded, and the motion passed to approve the Remedial Plans for Mandy L. Cox, P.A.; Susan L. Granville, P.A.; Cindy W. Logue, P.A.; Darnell D. Morgan, P.A.; Lori G. Rollwitz, P.A.; and Bonnie Beck, P.A.**

There were no items for Agenda items #17-20.

Agenda item #24, Consideration and Approval of the July 12, 2013 Board Meeting Minutes. After discussion, **Ms. Contreras moved, Mr. Rush seconded, and the motion passed to approve the July 12, 2013 Physician Assistant Board Meeting Minutes.**

Agenda item #25, 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, Mr. Rush seconded, and the motion passed to approve the Licensure Committee minutes.**

Dr. Baptiste gave a report of the Discipline and Ethics Committee. **Dr. Baptiste moved, Mr. Rush seconded, and the motion passed to approve the Discipline and Ethics Committee minutes and action items.**

Agenda item #28, Adjourn.

There being no further agenda items, the meeting adjourned at 1:27 p.m.