



TEXAS PHYSICIAN ASSISTANT BOARD
BOARD MEETING
November 4, 2016

The meeting was called to order at 11:13 a.m. by Jason Cooper, PA-C, Presiding Officer. Board members Karrie L. Crosby, PA-C, Secretary, Anna Arredondo Chapman, Maribel De Ponce, PA-C, Melinda Gottschalk, PA-C, Victor Ho, M.D., Teralea Jones, PA-C, Jorge Martinez were present. Board members Clay Bulls, PA-C, Jennifer Clarner, PA-C, Felix Koo, M.D., Michael D. Reis, M.D., and R. Blayne Rush were not present. Staff members present were Scott Freshour, Interim Executive Director, Megan Goode, Governmental Affairs and Communication Manager, Monique Johnston, Licensure Manager, the Assistant General Counsels, Rob Blech, J.D., Wendy Pajak, J.D., Sarah Tuthill, J.D., and Yvette Yarbrough, J.D., and various other staff.

Agenda item #1, Mission Statement. Mr. Cooper read the board's mission statement into the minutes. *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 #21, Consideration and Approval of Determinations of Default at 10:30 a.m. Mr. Freshour gave a procedural background. Mark A. Gordon, P.A., was not present. No one appeared representing Mr. Gordon. Ann Skowronski, staff attorney, was present and gave a presentation. After discussion, **Ms. Jones moved, Ms. Crosby seconded, and the motion passed to adopt the Findings of Fact and the Conclusions of Law of the Administrative Law Judge in the Determinations of Default for Mark A. Gordon, and to approve the staff's suggested final order for revocation.**

Agenda item #2, Board Member Report.

Resolution. Mr. Cooper presented a plaque and read a Board Resolution in honor of Mari Robinson.

Agenda item #3, Executive Director's Report.

Interim Executive Director. Mr. Freshour announced Ms. Robinson's resignation. In the Interim Mr. Freshour was appointed by the Medical Board to serve as the Interim Executive Director. He reported that the same processes and procedures are in place making it a smooth transition.

Legislative Update. Ms. Goode reported the Legislative pre-filing starts November 14th. The session is scheduled to begin January 10th through May 29th 2017. Ms. Goode gave a summary of the Sunset Report that was issued and is available for public view. Public Testimony is scheduled on December 9th and the subsequent hearing is scheduled January 11th.

Ms. Goode gave an update on the completion of Internal Audit of the Compliance Department functions that reported the Compliance Department is in compliance.

Personnel Update Mr. Freshour reported that the position for the Executive Director is posted and the H.R. department is accepting applications. The Medical Board appointed an Executive Search Committee to interview applicants.

Outreach update. Mr. Freshour reported that a designated Assistant General Counsel will present the majority of future Outreach presentations. Monique Johnston, Licensure Manager, will continue to make presentations for Licensure. This will allow Outreach presentations to continue to be done during the legislative session. Ms. Goode presented the 2017 Outreach schedule.

Budget Update. Brandy Corrales, Finance Manager, presented the Budget Report and reported the projected expenditures and revenue continue to remain on target.

There were no items for Agenda item #4.

Agenda item #5, Physician Assistant Liaison Report. Mr. Cooper gave a report on the October Medical Board meeting and encouraged board members to contact him if they are available to attend any future meetings.

Agenda item #6, Public Information Update. Ms. Goode reported that a TMB Facebook page is available for public view as a resource to provide information. She reported additional information regarding the Zika virus is available through a Department of State Health Services (DHS) link on the TMB homepage. Mr. Schneider reported a bulletin was published in September. Mr. Schneider reported physicians and physician's assistants who prescribe controlled substances should be aware of the transfer of the Prescription Monitoring Program from the DPS to the Pharmacy Board, including the monitoring prescribed controlled substances and ordering of prescription pads. After discussion, the board directed staff to include a copy of prescriptive authority agreements with future investigation packets dealing with prescribing.

Agenda item #7, Consideration and possible action regarding pending litigation. Mr. Freshour gave a report on pending litigation, including litigation regarding Ella Dura, P.A.

Agenda item #8, Training regarding the ignorance of the law defense. Mr. Freshour gave a review that the ignorance of the law defense is not a valid defense and noted that the licensees are responsible to know the statutory requirements for their license.

There were no items for Agenda item #9.

Agenda item #10, Consideration and Approval of Modification Request/ Termination Request orders. After discussion, Ms. Jones moved, Ms. Chapman seconded, and the motion passed to approve the Orders Granting Termination for Amanda B. Waters P.A., with a clerical correction; David C. West P.A.; David A. Rodriguez P.A., with a clerical correction; Eric I Hettler P.A.; and the Order Granting Modification for Laura Alvarez P.A.

Agenda item #11, Consideration and Approval of Agreed Board orders. After discussion, **Ms. Crosby moved, Mr. Martinez seconded, and the motion passed to approve the Agreed Board Order for Susanna S. Cahill, PA.**

There were no items for Agenda items #12-15.

Agenda item #16, Consideration and Approval of Remedial Plan. After discussion, Dr. Koo recused from consideration of Marshall A. Gonzalez. After discussion, **Dr. Ho moved, Mr. Martinez seconded, and the motion passed to approve the Remedial Plans for Heidi A. Burns P.A.; Marshall A. Gonzales P.A.; Melisa G. Moncure P.A.; Lorrin J. Scott Jr. P.A. and Marco A. Vargas P.A.**

There were no items for Agenda items #17.

Agenda item #18, Report on Temporary Suspension/Automatic Orders/Automatic Actions. A report was presented on the Temporary Suspension hearings for Robert S. Helm P.A. with notice.

There were no items for Agenda item #19-20.

Agenda item #21 was heard earlier in the meeting.

There were no items for Agenda item #22-24.

Agenda item #25, Open Forum for Public Comments. No one signed in and no one was present to give public comments.

Agenda item #26, Consideration and Approval of the July 15, 2016 Board Meeting Minutes. **Ms. Chapman moved, Ms. Crosby seconded, and the motion passed to approve the April 1, 2016 Board Meeting Minutes and action items.**

Agenda item #27, Consideration and Approval of the August 29, 2016 Board Meeting Minutes. **Ms. Gottschalk moved, Ms. Chapman seconded, and the motion passed to approve the April 1, 2016 Board Meeting Minutes and action items.**

Agenda item #28, 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, Ms. Crosby seconded, and the motion passed to approve the Licensure Committee Meeting Minutes and Action Items.**

Mr. Bulls gave a report of the Discipline and Ethics Committee. **Mr. Chapman moved, Mr. Martinez seconded, and the motion passed to approve the Discipline and Ethics Committee Meeting Minutes and Action Items.**

Agenda item #29, Adjourn. There being no further agenda items, **Ms. Chapman** moved, **Ms. Crosby** seconded, and the motion passed to adjourn at **11:55 a.m.**