

COMMONWEALTH OF MASSACHUSETTS

BOARD OF REGISTRATION OF PHYSICIAN ASSISTANTS

**THIS AGENDA CONSTITUTES NOTICE OF THE REGULARLY SCHEDULED
MEETING OF THE
BOARD OF REGISTRATION OF PHYSICIAN ASSISTANTS
IN COMPLIANCE WITH THE OPEN MEETING LAW, M.G.L. c. 30A, § 20**

**Thursday, August 9, 2018
9:30 a.m.**

**239 Causeway Street ~ 4th Floor ~ Room 417 A/B
Boston, Massachusetts 02114**

AGENDA

Time	Item #	Item	Documents	Staff Contact
9:30 a.m.	I	Call to Order Determination of Quorum Notice of Electronic Recording		Board Chair
	II	Approval of Agenda Conflict of Interest	Draft Agenda	Board Chair
	III	Approval of Minutes A. June 14, 2018, Regularly Scheduled Meeting	Draft Minutes	Board Chair
	IV	Inquiries A. Can PAs be 100% owner of a medical practice in MA?	Inquires	Board Chair
	V	Scope of Practice Discussion A. Telemedicine: Regulatory Research	None	MS Board Chair
	VI	Flex Session A. Announcements B. Topics for next agenda	None	Chair

	VII	<p>Executive Session</p> <p>The Board will meet in Executive Session as authorized pursuant to M.G.L. c. 30A, § 21(a)(1) for the purposes of discussing the reputation, character, physical condition or mental health, rather than professional competence, of an individual, or to discuss the discipline or dismissal of, or complaints or charges brought against an individual.</p> <ol style="list-style-type: none"> 1. Specifically, the Board will discuss and evaluate the necessity of modifying probation conditions for a Licensee. 2. Specifically, the Board will discuss complaints or charges brought against a Licensee or Licensees. 3. Finally, the Board will consider approving prior executive session minutes in accordance with M.G.L. ch.30A, § 22(a) for previous executive sessions of the Board. <p>The Board will not reconvene in public session subsequent to the closed session(s).</p>	Closed Session	Board Chair
	VIII	65C Session	Closed Session	Board Counsel
	IX	Adjudicatory Session	N/A	Board Counsel
12:00 p.m.	X	Adjournment - next Board meeting scheduled for September 13, 2018.		

COMMONWEALTH OF MASSACHUSETTS
BOARD OF REGISTRATION OF PHYSICIAN ASSISTANTS
BOARD MEETING
June 14, 2018
239 CAUSEWAY STREET
BOSTON, MASSACHUSETTS 02114

MINUTES

Board Members Present: Alithia Broderick, PA-C, Physician Assistant 3
Robert Baginski, MD, Physician
Shannon Sheridan-Geldart, PA-C Physician Assistant
Educator, Vice Chair
Paul Crehan, PA-C, Physician Assistant 4
Mary Kuzmeski, PA-C Physician Assistant 2

Board Members

Not Present: Dipu Patel-Junankar, PA-C, Physician Assistant 1, Chair
Richard Baum, MD, Massachusetts Medical Society

Staff Present: Roberlyne Cherfils, Executive Director, Multi-Boards, BHPL
Philip Beattie, Assistant Executive Director, Multi-Boards,
BHPL
Vita Berg, Office of General Counsel, DPH
Mary Strachan, Board Counsel, Office of General Counsel,
DPH
Lisa Seeley-Murphy, Investigations, Multi-Boards, BHPL
Jonane Nicolas, Office Support Specialist, Multi-Boards,
BHPL

I. Call to Order – Determination of Quorum

A quorum of the Board was present. The Board Executive Director, Ms. Cherfils, called the meeting to order at 9:41 a.m.

Ms. Cherfils introduced - Mary Kuzmeski as a new member to the Board members.

II. Conflict of Interest/Approval of the Agenda

The Meeting Agenda was reviewed and there was no conflict of interest.

DISCUSSION: None

ACTION: Mr. Crehan made a motion to approve the agenda as presented; Dr. Baginski seconded the motion. The motion passed unanimously.

Document: June 14, 2018 Board meeting agenda

III. Approval of Minutes:

Minutes of the April 12, 2018 Regularly Scheduled Board Meeting were reviewed.

DISCUSSION: None

ACTION: Mr. Crehan made a motion to approve the minutes; Ms. Broderick seconded the motion. The motion passed unanimously.

Document: April 12, 2018 Regularly Scheduled Board Meeting Minutes

IV. Inquiries:

A. Can PAs delegate in Massachusetts?

DISCUSSION: Ms. Berg explained that physicians supervise PA and may delegate medical tasks to them. Physicians also delegate medical tasks to medical assistants. It follows then, that PAs can delegate a medical task to medical assistants, however, that is not explicitly stated in the PA statutes or regulations. The only place Ms. Berg can think of where it is explicitly stated that PAs can delegate to others is in a recent DPH circular letter that speaks to delegation of administration of immunizations. Otherwise, the inference is that PAs can delegate. Medical assistants are not licensed. Ms. Berg points out that MAs are certified by various certifying bodies. She stressed that the MA Controlled Substances Act delineates with specificity who can handle

and administer controlled substances. This is explicit in Nursing Board regulation. Nurses can delegate some tasks to unlicensed personnel. Ms. Berg suggests asking the individual who inquired are they asking about delegation generally, or are they asking about delegating administration of medications. Concept is “sub-delegation” from supervising physician. Ms. Berg also spoke to the Advance Practice Registered Nurse scheme and regulations in response to a Board member’s question/ observation that Nurse Practitioners don’t need physician supervision. Ms. Berg said that is not quite accurate. NPs and all APRNs must have physician supervision of their prescriptive practice. Board member asked to see the regulatory language that applies to nurses. After some discussion, Ms. Cherfils suggested that staff reach out to the person who made the inquiry and ask for additional information as suggested by Ms. Berg, and staff will bring a copy of nursing regulations (244 CMR 3.05) to Board members for review and further discussion.

ACTION: deferred to next Board meeting

Document: Email Inquiry

Ms. Strachan entered the room at 9:50 a.m.

B. Are PAs excluded from the practice of Ophthalmology in Massachusetts?

DISCUSSION: Ms. Strachan advised Board members that the issue is not addressed in regulation but rather, in statute. The relevant statute, M.G.L 112 section 9D reads as follows:

The provisions of sections nine C to nine K, inclusive, shall not apply to services performed in any of the following areas:

(c) The measurement of the powers or range of human vision or the determination of the accommodation and refractive states of the human eye or the scope of its functions in general or the fitting or adaptation of lenses or frames for the aid thereof.

And

(d) The prescribing or directing the use of, or using, any optical device in connection with ocular exercises, visual training, vision training or orthoptics.

And

(e) The prescribing of contact lenses for, or the fitting or adaptation of contact lenses to, the human eye.

Nothing in clauses (c), (d), or (e) shall preclude the performance of routine visual screening by a physician assistant.

In other words, PAs can perform routine visual screenings but they are not authorized to practice Ophthalmology. Ms. Strachan suggests asking the individual for additional information from the person. Dr. Baginski will bring more information to the next meeting. Ms. Strachan also advised Dr. Baginski that he can forward her telephone number to the requester if he would like.

ACTION: deferred to next Board meeting

Document: Email Inquiry

V. Scope of Practice:

A. Telemedicine: Regulatory Research

DISCUSSION: Ms. Strachan provided some research for the Board members as requested. Ms. Strachan contacted the Board of Registration in Medicine by telephone and email however, she has not received any response. After reviewing what approaches, if any, other jurisdictions take to telemedicine and what state medical boards do, she recommended that Board members adopt the model Policy of Federation of State Medical Boards.

ACTION: Deferred to next board meeting

Document: Telemedicine: Regulatory Research

B. Supervisory Physician Form

DISCUSSION: Ms. Cherfils mentioned that the Supervising Physician Form paper application is being updated and streamlined to include the attestations, etc. The form has been approved and the IT department is working to post it on the webpage, however the web form and the paper form will not be ready at the same time. Ruby asked should we hold until both are ready. Dr. Baginski suggests if not, it will cause confusion.

ACTION: No action

Document: Supervisory Physician Form

VI. FLEX SESSION:

DISCUSSION: None

ACTION: None

Document:

Topics for next agenda: The Board will continue to discuss the inquiry regarding telemedicine/Supervisory Position at the August 09 Board Meeting.

ACTION: None

Document: None

IX Executive Session (Closed Session)

At 9:56 a.m., Ms. Sheridan-Geldart announced that the Board will meet in Executive Session as authorized pursuant to M.G.L. c. 30A, § 21(a)(1) for the purposes of discussing the reputation, character, physical condition or mental health, rather than professional competence, of an individual, or to discuss the discipline or dismissal of, or complaints or charges brought against an individual.

4. Specifically, the Board will discuss and evaluate the necessity of modifying probation conditions for a Licensee.
5. Specifically, the Board will discuss complaints or charges brought against a Licensee or Licensees.
6. Finally, the Board will consider approving prior executive session minutes in accordance with M.G.L. ch.30A, § 22(a) for previous executive sessions of the Board.

X Adjourn

There being no other business before the Board, Ms. Sheridan-Geldart made a motion to adjourn the Meeting; Dr. Baginski seconded the motion. The motion passed with Board members present and voting in favor unanimously. The Meeting adjourned at 10:00 a.m.

The next meeting of the Board of Registration of Physician Assistants will be held on Thursday, August 09, 2018, at 9:30 a.m. at 239 Causeway Street, Boston, Massachusetts.

Respectfully submitted:

Chair

Dipu Patel-Junankar

Date

Vice-Chair

Shannon Sheridan-Geldart

Date