

**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, G.L. c. 30A, § 20**

Thursday, February 14, 2013  
9:30 a.m.  
239 Causeway Street – 4th floor, Room 417A  
Boston, MA 02114

**Agenda**

- I. Call to Order
- II. Approval of Agenda
- III. Approval of Minutes
  - A. December 13, 2012 Regularly Scheduled Meeting
- IV. Adjudicatory Session (closed session)  
None.
- V. M.G.L. c. 112, § 65C Session (closed session)
  - A. Update: PA-2009-001 Cushman, Ina License No. PA31 (expires 3-1-2015)  
Board review of documentation submitted in (Probation)  
connection with Consent Agreement
  - B. Update: PA-2011-014 Stall, Jennifer License No. PA4095 (Voluntary Surrender  
Update: criminal indictments 1-19-12; expires 3-1-2013)
  - C. Update: PA-2011-015 Neira, Diego License No. PA1955 (expires 3-1-2013)  
Update: pending criminal matter (Interim Consent Agreement (3-6-12)
  - D. PA-2010-001 Duarte (Thacher), Lyndsay License No. PA3785 (expired 3-1-2011)  
Petition for license reinstatement (Voluntary Surrender 2-24-2010)
  - E. Update: PA-2012-005 Scott Pladel License No. PA1003 (expires 3/1/13)
- VI. License Application Review  
None.
- VII. License Reactivation Application Review  
None.
- VIII. Staff Assignments
  - A. SA-INV-2536 Louangxay, Phathsady License No. PA3692

Allegation: Failure to complete 2011 license renewal (expires 3-1-3013)  
application

IX. Complaints  
None

X. Scope of Practice Inquiries

A. PAs and MRIs: Can a licensed PA read a MRI and then advise a patient based on the results of the reading? (query received from Bruce Issadore, Esq., January 4, 2013)

B. PAs, satellite EDs and MD supervision: query submitted by Chris DeFazio, MD, January 7, 2013)

C. “Does Massachusetts allow Physician Assistants to perform medical aesthetic procedures like botox injections or dermal filler injections?” (query submitted by Mike on January 18, 2013)

XI. Other Business/Announcements

A. MAPA request regarding BA requirement

B. Board Member Recusals and Disclosures under Conflict of Interest Law, M.G.L. c. 268A: Memorandum from the Office of the Governor’s Legal Counsel dated January 14, 2013

C. Recognition of Board Member Service: Barbara Webster, PA-C; Richard Murphy, PA-C; and Anne Chiavegato, PA-C

XII. Adjourn

COMMONWEALTH OF MASSACHUSETTS

BOARD OF REGISTRATION OF PHYSICIAN ASSISTANTS

BOARD MEETING

February 14, 2013

239 Causeway Street, Room 417

Boston, MA 02114

MINUTES

Board Members Present: Dipu Patel-Junankar, PA-C, Chair  
Miguel Valdez, PA-C, Vice-Chair  
Laura Hilf, RN, MS, Public Member  
Edward Glinski, MD, Public Member  
Richard Baum, MD, MMS Member  
Frieda Cohen, Public Member  
Nicole Meregian, PA-C, Board Member

Board Members Not Present: Shannon Sheridan-Geldart, PA-C, PA Education Program Member

Staff Present: Sally Graham, Executive Director  
Anson Chu, Administrative Assistant  
Joelle Stein, Board Counsel, OGC, DPH  
Curtis Jackson, MPRS Coordinator

Public: Julie Purcell, PA-C, MAPA representative

I. Call to Order

Ms. Patel-Junankar, Chair, called the meeting to order at 9:40 a.m.

II. Approval of the Agenda

The meeting Agenda was reviewed. Mr. Valdez made a motion to approve the Agenda as presented; Dr. Glinski seconded the motion. The motion passed unanimously.

Document: February 14, 2013 Board Meeting Agenda

III. Approval of Minutes

A. Minutes of the December 13, 2012 Regularly Scheduled Board Meeting

The Minutes of the December 13, 2012 Regularly Scheduled Board Meeting were reviewed.

Mr. Valdez made a motion to approve the Minutes as presented; Dr. Glinski seconded the motion. The motion passed with Ms. Patel-Junankar, Mr. Valdez, Dr. Glinski, Ms. Hilf,

and Ms. Meregian voting in favor. Dr. Baum and Ms. Cohen did not vote as they were not present at the December 13<sup>th</sup> Board Meeting.

Documents: Minutes of the December 13, 2012 Regularly Scheduled Board Meeting

IV. Adjudicatory Session (closed session)

None.

V. M.G.L. c. 112, § 65C Session (closed session)

[Dr. Glinski made a motion to go into the Section 65C Session at 9:43 a.m.; Mr. Valdez seconded the motion. The motion passed unanimously.]

- A. Update: PA-2009-001 Cushman, Ina License No. PA31 (expires 3-1-2015)  
Board review of documentation submitted in (Probation)  
connection with Consent Agreement
- B. Update: PA-2011-014 Stall, Jennifer License No. PA4095 (Voluntary Surrender  
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Petition for license reinstatement (Voluntary Surrender 2-24-2010)
- E. Update: PA-2012-005 Scott Pladel License No. PA1003 (expires 3/1/13)  
Update

[The Board adjourned the M.G.L. c. 112, § 65C Session at 10:15 a.m. and resumed its Regularly Scheduled Board Meeting.]

VI. License Application Review

None.

VII. License Reactivation Application Review

None.

VIII. Staff Assignments

- A. SA-INV-2536 Louangxay, Phathsady License No. PA3692  
(expires 3-1-3013)

Allegation: Failure to complete 2011 license renewal application questionnaire and provide documentation of CME

Ms. Graham noted that the licensee had decided not to practice in Massachusetts. Dr. Glinski made a motion to open a complaint against the licensee's PA license based on his failure to complete and return the 2011 license renewal application and requested documentation of CME in a timely manner; Mr. Valdez seconded the motion. The motion

passed unanimously.

Ms. Patel-Junankar made a motion to dismiss the complaint as not warranting discipline; Ms. Merejian seconded the motion. The motion passed unanimously.

Documents: Staff Assignment investigation-related materials

IX. Complaints  
None.

X. Physician Assistant Scope of Practice Inquiries

- A. PAs and MRIs: May a licensed PA read a MRI and then advise a patient based on the results of the reading? (query submitted by Bruce Issadore, Esq., January 4, 2013)

After review and discussion of the inquiry, the Board determined that additional information is needed and suggested that Mr. Issadore file a complaint with the Board so that more information, including medical records, may be obtained through the investigative process.

Document: E-mail inquiry

- B. PAs, satellite EDs and MD supervision: May a PA provide medical services, without on-site physician support, in a hospital's satellite urgent care clinic located in a neighboring town? (query submitted by Chris DeFazio, MD (ER physician), January 7, 2013)

Ms. Patel-Junankar made a motion to inform Dr. DeFazio that a PA may be utilized in an urgent care setting where the PA will be the sole clinician on-site in accordance with the following:

- The work setting in which the PA provides urgent care services is appropriately licensed or otherwise operating legally within Massachusetts. (263 CMR 5.03)
- The services performed by the PA are within the PA's competence as determined by the supervising physician through his or her assessment of the PA's training, experience, and skills. (263 CMR 5.04(1)(a))
- The PA may perform services that are within the scope of services for which the supervising physician can provide adequate supervision to ensure that accepted standards of medical practice are followed. (263 CMR 5.04(1)(b) and (2))
- The PA must have access at all times to the supervising physician for consultation by phone or webcam.
- The PA/supervising physician scope of practice agreement must state the parameters within which the PA is to consult with the physician (i.e., procedures) as well as measures to maintain quality care.

- The PA/supervising physician scope of practice agreement must take into account the lack of physical presence of the physician.
  - Documentation establishing the PA's credentialing, the PA/supervising physician scope of practice agreement, and the PA/supervising physician prescription practice guidelines, as governed by 263 CMR 5.07, must be readily available.
  - The PA and supervising physician must be appropriately licensed and credentialed in accordance with state and federal laws and regulations and facility requirements.
  - The PA and supervising physician must know and understand specific facility policies and procedures governing urgent care.
  - The PA and the supervising physician fully comply with 263 CMR 5.00 and 243 CMR 2.08 governing the scope of practice and employment of PAs.
  - The PA employed by a health care facility shall not be utilized as the sole medical personnel in charge of emergency services, outpatient services, or any other clinical service where a licensed physician is not regularly available. (263 CMR 5.08(2))
  - PAs are capable of providing excellent and high quality care to patients; PAs shall not supplant a licensed physician as the principal medical decision-maker. (263 CMR 5.05(3))
- It is not within its purview to address the question of whether a PA's provision of medical services in the setting described is billable.

Dr. Baum seconded the motion. The motion passed unanimously.

Document: E-mail inquiry.

- C. PAs and injections of Botox and dermal fillers: May PAs perform medical aesthetic procedures such as Botox or dermal filler injections?" (query submitted by Mike, January 18, 2013)

Dr. Baum made a motion that PAs may perform medical aesthetic procedures in accordance with the following:

- The services performed by the PA are within the PA's competence as determined by the supervising physician through his or her assessment of the PA's training, experience, and skills. (263 CMR 5.04(1)(a))
- The PA may perform services that are within the scope of services for which the supervising physician can provide adequate supervision to ensure that accepted standards of medical practice are followed. (263 CMR 5.04(1)(b) and (2))

- The PA/supervising physician scope of practice agreement must state the parameters within which the PA is to consult with the physician (i.e., procedures) as well as measures to maintain quality care.
- Documentation establishing the PA's credentialing, the PA/supervising physician scope of practice agreement, and the PA/supervising physician prescription practice guidelines, as governed by 263 CMR 5.07, must be readily available.
- The PA and supervising physician must be appropriately licensed and credentialed in accordance with state and federal laws and regulations and facility requirements.
- The PA must have access at all times to the supervising physician for consultation by phone or webcam.
- The PA and the supervising physician fully comply with 263 CMR 5.00 and 243 CMR 2.08 governing the scope of practice and employment of PAs.
- PAs are capable of providing excellent and high quality care to patients; PAs shall not supplant a licensed physician as the principal medical decision-maker. (263 CMR 5.05(3))

Mr. Valdez seconded the motion. The motion passed unanimously.

Document: E-mail Inquiry

#### XI. Other Business/Announcements

##### A. Massachusetts Association of Physician Assistants ("MAPA") request for amendment of 263 CMR 3.02(2)(b) relative to BA requirement for licensure

Ms. Graham distributed copies of MAPA's letter requesting that Board regulations be amended to state (addition in italics): "(b) he or she possesses *at least* a baccalaureate degree from an educational institution on the list of accredited colleges of the United States Office of Education, or any like institution approved by the Board." Ms. Graham noted that a Bachelor's degree is also a statutory requirement. Ms. Purcell, MAPA representative, informed the Board that MAPA is working on a statutory change.

Document: MAPA letter of December 13, 2012

##### B. Board Member Recusals and Disclosures under Conflict of Interest Law, M.G.L. c. 268A: Memorandum from the Office of the Governor's Legal Counsel dated January 14, 2013

Ms. Graham distributed the memorandum to Board members for review and any questions.

##### C. Recognition of Board Member Service: Barbara Webster, PA-C; Richard Murphy, PA-C; and Anne Chiavegato, PA-C

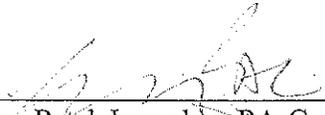
The Board will recognize the long-time service to the Board of Ms. Webster, Mr. Murphy and Ms. Chiavegato after the meeting adjourns.

XII. Adjourn

There being no other business before the Board, Ms. Hilf made a motion to adjourn the Meeting; Dr. Glinski seconded the motion. The motion passed unanimously. The Meeting adjourned at 11:05 a.m.

The next meeting of the Board of Registration of Physician Assistants will be held on Thursday, March 14, 2013, at 9:30 a.m. at 239 Causeway Street, Boston, Massachusetts.

Respectfully submitted:

  
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Dipu Patel-Junankar, PA-C  
Chair

3/14/13  
\_\_\_\_\_  
Date