

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 June 12, 2014
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		
	II.	Approval of Agenda	Agenda	
	III.	Approval of Minutes A. May 8, 2014 Regularly Scheduled Session	Minutes	

9:45 a.m.	IV.	<p>Executive Session The Board will meet in Executive Session as authorized pursuant to M.G.L. c. 30A, § 21(a)(3) for the purpose of discussing strategy with respect to litigation because discussing in open session would have a detrimental effect on the litigating position of the board. Specifically, the Board will discuss pending litigation: Zogenix, Inc. v. Patrick, et. al., United States District Court, District of Massachusetts, 1:14-CV-11689-RWZ.</p> <p>The Board will also meet in Executive Session as authorized pursuant to M.G.L. c. 30A, § 21(a)(1) for the purpose 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, a public officer, employee, staff member or individual.</p>		VB/DM/AGO
10:30a.m.	V.	<p>Initial License Application Review A. Welch, Tara B. Moore, John</p>	Application and related documents	MP
	VI.	<p>Staff Assignments None</p>		
	VII.	<p>Complaints None</p>		

	VIII.	Scope of Practice Inquiries <u>The Board will consider the following Scope of Practice inquiries:</u> A. Whether, in a surgical setting in which a PA is assisting, the primary surgeon needs to be the “supervising physician” or whether the supervising physician can be elsewhere, but reachable. B. Whether a PA is authorized to sign a death certificate. C. The scope of authority conferred upon a PA working in a medical marijuana clinic under the direction of a supervising physician. D. Whether a PA working in a surgical setting needs separate supervising physicians for each of the different types of surgery in which the PA assists.	Email inquires and handouts	VB/DM
	IX.	Adjudicatory Session None		
	X.	M.G.L. c. 112, § 65C Session (Closed Session) None		
	XI.	Other Business/Announcements A. Update AART Fluoroscopy Examination B. Interchange Instructions		IH
12:00pm	XII.	Adjournment		

COMMONWEALTH OF MASSACHUSETTS
BOARD OF REGISTRATION OF PHYSICIAN ASSISTANTS

BOARD MEETING

June 12, 2014
239 Causeway Street, Room 417
Boston, MA 02114

MINUTES

Board Members Present: Dipu Patel-Junankar, PA-C, Physician Assistant 1, Chair
Miguel Valdez, PA-C, Physician Assistant 3, Vice-Chair
Laura Hilf, RN, MS, Public Member 1
Nicole Meregian, PA-C, Physician Assistant 2
Edward Glinski, MD, Physician

Board Members Not Present: Richard Baum, MD, Massachusetts Medical Society
Shannon Sheridan-Geldart, PA-C, Physician Assistant, Educator
Jessica Britnell, PA-C, Physician Assistant 4

Staff Present: Mary Phillips, Executive Director, DHPL
Ichelle Herbu, Assistant Executive Director, DHPL
Anson Chu, Office Support Specialist, DHPL
Vita Berg, Chief Board Counsel, Office of the General Counsel, DPH
David Murphy, Board Counsel, Office of General Counsel, DPH
Marjorie Campbell, Investigator Supervisor, Office of Public Protection, DHPL
Philip Beattie, Board Investigator, Office of Public Protection, DHPL

Guest: Anne Sterman Attorney's General Office
Ina Cushman
Ina Cushman's Attorney Paul Gitlin and Attorney Gitlin's Assistant

- I. Call to Order – Determination of Quorum
A quorum of the Board was present. The Board Chair, Ms. Patel-Junankar, called the meeting to order at 9:37 a.m.
- II. Approval of the Agenda
The Meeting Agenda was reviewed.

DISCUSSION: Ms. Patel-Junankar informed the Board that item V. Initial License Application Review, will be deferred to the next scheduled Board Meeting.

ACTION: Dr. Glinski made a motion to approve the agenda as presented; Ms. Meregian seconded the motion. The motion passed with Board members present and voting in favor unanimously.

Document: June 12, 2014 Board Meeting Agenda

III. Approval of Minutes

Minutes of the May 8, 2014 Regularly Scheduled Board Meeting were reviewed.

DISCUSSION: None

ACTION: Ms. Meregian made a motion to approve the Minutes as presented; Ms. Hilf seconded the motion. Dr. Glinski abstained from voting. The motion passed with Board members present and voting in favor unanimously.

Document: May 8, 2014 Regularly Scheduled Board Meeting Minutes

IV. Executive Session (closed session)

At 9:41 a.m., Ms. Dipu Patel-Junankar announced that the Board will meet in Executive Session as authorized pursuant to M.G.L. c. 30A, § 21(a)(3) for the purpose of discussing strategy with respect to litigation because discussing in open session would have a detrimental effect on the litigating position of the board. Specifically, the Board will discuss pending litigation: Zogenix, Inc. v. Patrick, et. al., United States District Court, District of Massachusetts, 1:14-CV-11689-RWZ.

The Board will also meet in Executive Session as authorized pursuant to M.G.L. c. 30A, § 21(a)(1) for the purpose 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, a public officer, employee, staff member or individual.

Ms. Patel-Junankar made a motion to enter into Executive Session at 9:42 a.m.; Ms. Hilf seconded the motion; motion passed by unanimous roll call vote with Board members present and voting in favor: Ms. Dipu Patel-Junankar: yes; Mr. Miguel Valdez: yes; Ms. Laura Hilf: yes; Dr. Edward Glinski: yes; and Ms. Nicole Meregian: yes Opposed: None Abstained: None Recused: None

The Board adjourned the Section Executive Session at 10:56 a.m. and resumed its Regularly Scheduled Board Meeting.

V. Initial License Application Review

A. Welch, Tara-Deferred to the next scheduled Board Meeting.

B. Moore, John- Deferred to the next scheduled Board Meeting.

VI. Staff Assignments

None

VII. Complaints

None

VIII. Scope of Practice Inquiries

- A. Email Inquiry: Whether, in a surgical setting in which a PA is assisting, the primary surgeon needs to be the “supervising physician” or whether the supervising physician can be elsewhere, but reachable.

DISCUSSION: Ms. Dipu Patel-Junankar noted that the Board has responded to this inquiry in prior cases. The Board determined that Board’s regulations allow for the designation of a temporary supervising physician where the supervising physician is unable or unavailable to be the principal medical decision-maker, provided that the name and scope of responsibility of the temporary supervising physician is readily ascertainable from facility records. The responsibilities of the temporary supervising physician should be included in a practice/prescriptive guidelines and in facility policies governing physician assistant practice.

ACTION: Mr. Valdez made a motion for Board staff to reply to the email inquiry with yes, the supervising physician can be elsewhere; the temporary supervising physician should be readily ascertainable from the facility records; and responsibilities should be included in the a practice/prescriptive guidelines and facility policies governing physician assistant practice; Dr. Glinski seconded the motion. The motion passed with Board members present and voting in favor unanimously.

Document: Email Inquiry

- B. Email Inquiry: Whether a PA is authorized to sign a death certificate.

DISCUSSION: Ms. Berg reviewed Chapter 46 § 9 for the Board. The Board determined that PAs cannot sign death certificate.

ACTION: Ms. Hilf made a motion to have Board Staff reply to the email inquiry that a PA cannot sign death certificate; Dr. Glinski seconded the motion. The motion passed with Board members present and voting in favor unanimously.

Document: Email Inquiry, Chapter 46 §9 and Chapter 112 § 80I

- C. Email Inquiry: The scope of authority conferred upon a PA working in a medical marijuana clinic under the direction of a supervising physician.

DISCUSSION: Ms. Berg noted that currently no legislation exists to allow PAs to recommend medical marijuana treatment for patients and reviewed Chapter 112 §80I related to the authority for nurse practitioner. Board members noted that individuals should contact MAPA regarding new legislation.

ACTION: Dr. Glinski made a motion for Board Staff to reply to the email inquiry that at this time no, a PA cannot recommend medical marijuana for patients; Ms. Meregian seconded

the motion. The motion passed with Board members present and voting in favor unanimously.

Document: Email Inquiry; Chapter 112 §80I, Hand-out

D. Email Inquiry: Whether a PA working in a surgical setting needs separate supervising physicians for each of the different types of surgery in which the PA assists.

DISCUSSION: Board members noted that a physician assistant is able to perform any and all services for which his/her supervising physician can provide adequate supervision to ensure accepted standards of medical practice. A physician assistant cannot perform any procedure that his/her supervising physician has not been trained and certified to perform himself/herself. Therefore, a PA working in multiple specialties would need a supervising physician with practice/prescriptive guidelines for each specialty. Further, the PA is to submit documentation for each supervising physician to the Board.

ACTION: Mr. Valdez made a motion to have Board Staff reply to the email inquiry that the PA working in general surgery would require a supervising physician who is trained and certified in each specialty; practice/prescriptive guidelines for each supervising physician; and to submit documentation for each supervising physician to the Board; Dr. Glinski seconded the motion. The motion passed with Board members present and voting in favor unanimously.

Document: Email Inquiry

IX. Adjudicatory Session (closed session)

None

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

None

XI. Other Business/Announcements

A. Update: American Registry of Radiologic Technologists (“ARRT”) Fluoroscopy Examination

DISCUSSION: Ms. Herbu informed the Board that at this time, she has no new update regarding the Fluoroscopy examination.

ACTION: None

Document: None

B. Interchange System Instructions

DISCUSSION: Ms. Herbu informed the Board that DHPL is implementing the interchange system, a secure system for file transfer, to forward Board packets to Board

members. Board members will begin receiving Board packets via interchange for the July 10, 2014 meeting.

ACTION: None

Documents: Interchange System instructions and related documents

XII. Adjourn

There being no other business before the Board, Mr.Valdez made a motion to adjourn the Meeting; Ms.Hilf seconded the motion. The motion passed with Board members present and voting in favor unanimously. The Meeting adjourned at 11:44 a.m.

The next meeting of the Board of Registration of Physician Assistants will be held on Thursday, July 10, 2014, at 9:30 a.m. at 239 Causeway Street, Boston, Massachusetts.

Respectfully submitted:

Dipu Patel-Junankar, PA-C, Chair

Date