

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, June 13, 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. April 11, 2013 Regularly Scheduled Meeting
- IV. Adjudicatory Session (closed session)
(None)
- V. M.G.L. c. 112, § 65C Session (closed session)
 - A. PA-2013-003 Taylor, Kelly License No. PA1003 (expires 3-1-2015)
- VI. License Application Review
(None)
- VII. License Reactivation Application Review
(None)
- VIII. Staff Assignments
(None)
- IX. Complaints
 - A. Update: Ina Cushman, License No. PA31, Docket No. PA 2009-001
Compliance with Post-Surrender Consent Agreement for Probation: Employment
- X. Scope of Practice Inquiries
 - A. Joseph Palma, M.D., Pain Relief Centers of Massachusetts, S. Dennis, MA
Request for Clarification of 263 CMR 5.08: May a PA be used to perform joint injections under fluoroscopic guidance provided the PA is not “operating” the fluoroscopic x-ray system?

- B. Judith Kim, Law Clerk, Krokidas & Bluestein LLP, Boston, MA
What is the role of the supervising physician in the inpatient setting where the PA Commonly interacts with a patient's attending physician and/or residents, rather than with the supervising physician? Should this question be posed to the Board of Registration in Medicine?

XI. Other Business/Announcements

- A. AFPPA Response to AMA Resolution to Restrict PA Practice
- B. July 8, 2013 Public Hearing on the deletion of 263 CMR 5.05(2)
Identifying the number of PAs who may be supervised by a supervising physician at any one time, by emergency regulation.
- C. Update: SB 1009, An Act clarifying the minimum requirements for licensure of physician assistants.
- D. Distribution of copy of amended Board regulations 263 CMR 5.04 and 5.08
Governing PA authorization to operate fluoroscopic x-ray systems and to perform fluoroscopic procedures.
- E. Delegation of Authority to Executive Director, Stephanie Everett

XII. Adjourn

COMMONWEALTH OF MASSACHUSETTS
BOARD OF REGISTRATION OF PHYSICIAN ASSISTANTS

BOARD MEETING
June 13, 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
Nicole Meregian, PA-C, Board Member
Richard Baum, MD, MMS Member
Frieda Cohen, Public Member
Shannon Sheridan-Geldart, PA-C, PA Education Program Member

Staff Present: Stephanie Everett, Board Executive Director, DHPL
Annette O'Brien, Interim Executive Director
Ichelle Herbu, Assistant to Executive Director
Joelle Stein, Board Counsel, Office of General Counsel, DPH
Anson Chu, Administrative Assistant, Multi-Boards, DHPL

I. Call to Order

Ms. Patel-Junankar, Chair, called the Meeting to order at 9:34 a.m.

II. Approval of the Agenda

The Meeting Agenda was reviewed. Ms. Patel-Junankar made a motion to add the following under item V, M.G.L. c. 112, § 65C Session: *PA-2013-00, Taylor, Kelly, License No. PA1003 (expires 3-1-2015)*, and to approve the Agenda as amended; Ms. Hilf seconded the motion. The motion passed unanimously.

Document: June 13, 2013 Board Meeting Agenda

III. Approval of Minutes

A. Minutes of the April 11, 2013 Regularly Scheduled Board Meeting

The Minutes of the April 11, 2013 Regularly Scheduled Board Meeting were reviewed.

Mr. Valdez made a motion to approve the draft Minutes as presented; Dr. Glinski seconded the motion. The motion passed with Ms. Patel-Junankar, Mr. Valdez, Ms. Hilf, Ms. Meregian and Dr. Baum voting in favor. Dr. Glinski, Ms. Cohen and Ms. Sheridan-Geldart did not vote as they were not present at the April Meeting.

Document: Minutes of the April 11, 2013 Regularly Scheduled Board Meeting

IV. Adjudicatory Session (closed session)
None.

V. M.G.L. c. 112, § 65C Session (closed session)
[Ms. Hilf made a motion to go into the Section 65C Session at 10:49 a.m.; Ms. Sheridan-Geldart seconded the motion. The motion passed unanimously.]

A. PA-2013-003 Taylor, Kelly License No. PA1003 (expires 3-1-2015)

[The Board adjourned the Section 65C Session at 11:01 a.m. and resumed its Regularly Scheduled Board Meeting.]

VI. License Application Review
None.

VII. License Reactivation Application Review
None.

VIII. Staff Assignments
None.

IX. Complaints

A. Update: Ina Cushman, License No. PA31, Docket No. PA 2009-001
Compliance with Post-Surrender Consent Agreement for Probation: Employment, List of Prescribed Medications

Ms. Stein informed the Board of the licensee's employment teaching at Northeastern University through August 15, 2013. As the position does not require clinical practice, which would require compliance with provisions in the Post-Surrender Consent Agreement for Probation, the Board determined that the non-clinical employment is acceptable under the terms of the Probation Agreement.

Dr. Baum requested a spreadsheet showing any changes in prescribed medications.

Documents: Post-Surrender Consent Agreement for Probation compliance-related documents

X. Scope of Practice Inquiries

A. Joseph Palma, M.D., Pain Relief Centers of Massachusetts, S. Dennis, MA
Request for Clarification of 263 CMR 5.08: May a PA be used to perform joint injections under fluoroscopic guidance provided the PA is not "operating" the fluoroscopic x-ray system?

After discussion, the Board directed that Dr. Palma be informed that physician assistants may be used to perform joint injections under fluoroscopic guidance provided they are not "operating" the fluoroscopic x-ray system. If and when the

physician assistants are certified to operate fluoroscopic x-ray systems in accordance with 263 CMR 5.08, they may operate such systems as set forth in the regulations. The Board also requested that Dr. Palma be referred to the Board's website where the fluoroscopic practice regulations are posted.

Document: Practice inquiry submitted by Dr. Palma

B. Judith Kim, Law Clerk, Krokidas & Bluestein LLP, Boston, MA

What is the role of the supervising physician in the inpatient setting where the physician assistant commonly interacts with a patient's attending physician and/or residents, rather than with the supervising physician? Should this question be posed to the Board of Registration in Medicine?

After discussion, the Board directed the following response be sent to Ms. Kim: Board regulations at 263 CMR 5.05 require that all professional activities of a physician assistant be supervised by a fully licensed physician who is the principal medical decision-maker. Regulations at 263 CMR 5.05(4)(g) 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 that are available to patients. The responsibilities of the temporary supervising physician may be included in a practice agreement and prescription practice guidelines, and in facility policies governing physician assistant practice.

With respect to posing the same questions to the Board of Registration in Medicine, the Board agreed that further consultation would be appropriate and noted that the Medicine Board's regulations at 243 CMR 2.08 governing supervision of physician assistants, correspond to the Board's regulations in this area.

Document: Practice inquiry submitted by Judith Kim, Law Clerk

XI. Other Business/Announcements

A. Association of Family Practice Physician Assistants (AFPPA) Response to American Medical Association (AMA) Resolution to Restrict PA Practice

The Board reviewed and discussed the AFPPA's response to a Resolution to be presented to the American Medical Association's House of Delegates on the weekend of June 15, 2013. The AFPPA states that the Resolution proposes to restrict physician assistants from completing routine surgical and interventional procedures that PAs have been performing for decades. The Board anticipates that the American Academy of Physician Assistants (AAPA) and the Massachusetts Association of Physician Assistants (MAPA) will be following this issue, which does not require Board action at this time. Should the Resolution pass, the Board would consider noting its disappointment and concern.

Documents: Copy of AFPPA letter printed 6/12/13, AMA Report on Invasive Procedures (Resolution 218-A-11), and related emails

B. July 8, 2013 Public Hearing on the Deletion of 263 CMR 5.05(2)

Ms. Stein informed the Board that an emergency regulation has been filed on behalf of the Board repealing 263 CMR 5.05(2), which identified the number of physician assistants who could be supervised by a supervising physician at any one time. The emergency regulation was effective upon filing with the Secretary of State. The repeal was required by an amendment to M.G.L. c. 112, § 9E, effectuated by Section 111 of Chapter 224 of the Acts of 2012 (effective November 4, 2012). The public hearing on the repeal of Section 5.05(2) will be held on July 8, 2013, at 10 a.m. at 239 Causeway Street, Boston.

Documents: None

C. Update: SB 1009, An Act clarifying the minimum requirements for licensure of PAs

Ms. Stein updated the Board on the legislation proposed by MAPA, SB1009, amending M.G.L. c. 112, § 9I, which establishes the requirements for licensure as a physician assistant (the language of SB1009 is now in Section 72A of the FY14 Senate Conference Outside Sections). The proposed amendment would change Section 9I to require an applicant to have "received at least a bachelor's degree from an accredited college or university or an equivalent approved by the board...". The DPH recommendation is to sign the amendment as it corrects a "technical error" in Section 9I. The progress of the proposed amendment will be monitored.

Documents: None

D. Distribution of Copy of Amended Board Regulations at 263 CMR 5.04 and 5.08

Ms. Stein distributed copies of the Board's recently promulgated regulations governing physician assistant authorization to operate fluoroscopic x-ray systems and to perform fluoroscopic procedures, and informed the Board that the new regulations are posted on the Board website. The Board requested that a letter be sent to the Ionizing Radiation Work Group members thanking them for their participation in the Work Group.

Document: Copy of Board regulations at 263 CMR 5.04 and 5.08

E. Delegation of Authority to Executive Director

Ms. Stein discussed with the Board the delegation of Board authority to the Executive Director, Stephanie L. Everett, Esq., to perform specific actions and to sign correspondence and documents on behalf of the Board.

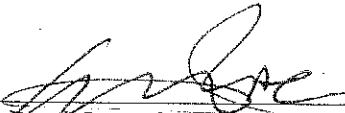
Motion by Ms. Patel-Junankar to delegate the authority delegated to the former Executive Director to Ms. Everett, Executive Director; Mr. Valdez seconded the motion. The motion passed unanimously.

XIII. Adjourn

There being no other business before the Board, Ms. Patel-Junankar made a motion to adjourn the Meeting; Ms. Sheridan-Geldart seconded the motion. The motion passed unanimously. The Meeting adjourned at 11:04 a.m.

The next meeting of the Board of Registration of Physician Assistants will be held on Thursday, July 11, 2013, at 9:30 a.m. at 239 Causeway Street, Boston, Massachusetts.

Respectfully submitted:



Dipu Patel-Junankar, PA-C
Chair

8/1/13

Date