

**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 14, 2012
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 12, 2012 Regularly Scheduled Meeting
 - B. April 12, 2012 M.G.L. c. 112, § 65C Session
- IV. Adjudicatory Session (closed session)
 - A. None
- V. M.G.L. c. 112, § 65C Session (closed session)
 - A. PA-2011-015 Neira, Diego PA1955 (expires 3-1-2013)
Allegation: Patient abuse
Investigative Conference 10 a.m.
 - B. PA-2011-0014 Stall, Jennifer PA4095 (expires 3-1-2013;
Surrendered 1-19-2012)

NCCPA notification: certification revoked
Submission of release to provide complaint materials for evaluator review
- VI. License Application Review
 - A. None
- VII. License Reactivation Application Review
 - A. None
- VIII. Staff Assignments
 - A. SA-INV-2541 Davidson, Elana License No. PA1031 (expires 3-1-2013)
Allegation: Failure to complete 2011 renewal application; failure to respond to Board requests

B. SA-INV-2540 Vassallo, Caitlin License No. PA2169 (expires 3-1-2013)
Allegation: Failure to complete 2011 renewal application

C. SA-INV-2520 Escobedo, Hilda License No. PA2393 (expires 3-1-2013)
Allegation: Unprofessional Conduct

IX. Complaints

A. PA-2011-003 Connolly, Mary License No. PA35 (expires 3-1-2013)
Update: Declined consent agreement, referred to Office of Prosecutions

B. PA-2009-001 Cushman, Ina License No. PA31 (expires 3-1-2013)
Board review: Quarterly Medication Report:

X. Scope of Practice Inquiries

A. Theresa Phillips, PA960, St. Vincent's Hospital: Query regarding prescription practice guidelines and supervising physician's responsibilities: Additional information.

B. PA Dermatology and Cosmetic Practice Advertisement

C. PAs and Patient Restraints

D. Michael Gilman, PA4155: Can PAs prescribe durable medical equipment and goods and home services such as home health aides, PT, OT?

XI. Other Business/Announcements

A. Election of Board Officers:

Chair: Richard Murphy (current)

Vice-Chair: Dipu Patel-Junankar (current)

B. Drug Control Program's Prescription Monitoring Program: Prescriber Outreach Letter

C. DPH's Health Workforce Center: *Health Professions Data Series: Physician Assistants 2011*: Presentation by Julia Dyck, DPH.

D. Legislative Updates

XII. Adjourn

COMMONWEALTH OF MASSACHUSETTS

BOARD OF REGISTRATION OF PHYSICIAN ASSISTANTS

239 Causeway Street, Room 417
Boston, MA 02114

BOARD MEETING MINUTES
June 14, 2012

Board Members Present: Richard Murphy, PA-C, Chair
Dipu Patel-Junankar, PA-C, Vice-Chair
Edward Glinski, MD
Laura Hilf, RN, MS, Public Member
Richard Baum, MD, MMS Member (left at 11:26 a.m.)
Frieda Cohen, Public Member (left at 12:17 p.m.)

Board Member Not Present: Barbara Webster, PA-C

Staff Present: Sally Graham, Executive Director
Joelle Stein, Board Counsel, DPH
Anson Chu, Administrative Assistant

Jean Pontikas, Director, DHPL (arrived at 9:54 a.m., left at 12:03 p.m.)
Lois Marshall, Investigator, Office of Public Protection (left at 11:26 a.m.)
Julia Dyck (left at 9:59 a.m.)

Visitor: Sean Robinson, PA-C, MAPA

I. Call to Order

Mr. Murphy 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 approve the agenda; Dr. Glinski seconded the motion. The motion passed unanimously.

Document: June 14, 2012 Board Meeting Agenda

III. Approval of Minutes

A. April 12, 2012 Regularly Scheduled Board Meeting

The minutes of the April 12, 2012 Regularly-Scheduled Board Meeting were reviewed. Dr. Glinski made a motion to approve the minutes as presented; Dr. Baum seconded the motion. The motion passed with Dr. Glinski, Dr. Baum, Mr. Murphy, Ms. Patel-Junankar, and Ms. Hilf voting in favor. Ms. Cohen did not vote as she was not present for the April meeting.

B. April 12, 2012 M.G.L. c. 112, § 65C Session

The minutes of the April 12, 2012 M.G.L. c. 112, § 65C Session were reviewed. Dr. Baum made a motion to approve the minutes as presented; Ms. Patel-Junankar seconded the motion. The motion passed with Mr. Murphy, Ms. Hilf, and Dr. Glinski voting in favor. Ms. Cohen did not vote as she was not present for the April meeting.

Documents: Minutes of the April 12, 2012 Regularly Scheduled Board Meeting
Minutes of the April 12, 2012 M.G.L. c. 112, § 65C Session

IV. Adjudicatory Session (closed session)

None.

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

A. <u>PA-2011-015</u>	<u>Neira, Diego</u>	<u>PA1955 (expires 3-1-2013)</u>
B. <u>PA-2011-0014</u>	<u>Stall, Jennifer</u>	<u>PA4095 (expires 3-1-2013; surrendered 1-19-2012)</u>

Ms. Patel-Janankar made a motion to go into the M.G.L. c. 112, § 65C Session; Dr. Baum seconded the motion. The motion passed unanimously. The Board entered the Section 65C Session at 10 a.m.

[The Board exited the M.G.L. c. 112, § 65C Session and returned to open session at 11:10 a.m.]

VI. License Application Review

None.

VII. License Reactivation Application Review

None.

VIII. Staff Assignments

A. <u>SA-INV-2541</u>	<u>Davidson, Elana</u>	<u>PA1031 (expires 3-1-2013)</u>
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Allegation: Failure to complete 2011 renewal application; failure to provide documentation of CMEs for the 2009-2011 license renewal period; failure to respond to Board requests for information.

Ms. Hilf voted to open a complaint for failure, despite numerous requests, to complete the 2011 license renewal application (the Questionnaire, page 3) and failure to provide documentation to the Board of CMEs as requested; Dr. Baum seconded the motion. The motion passed unanimously.

Ms. Patel-Junankar made a motion to resolve the complaint with an offer to resolve the complaint with a consent agreement for a reprimand and to inform the licensee that she must provide a completed 2011 renewal application and documentation of CMEs within ten days; Dr. Glinski seconded the motion. The motion passed unanimously.

Documents: Staff Assignment investigation documents and related materials

- B. SA-INV-2540 Vassallo, Caitlin PA2169 (expires 3-1-2013)
Allegation: Failure to complete the 2011 license renewal application

Mr. Murphy recused himself from participation in this matter and left the meeting room.

Ms. Graham reported that the licensee has completed her 2011 license renewal application.

Dr. Glinski made a motion to close the investigation once the licensee has submitted prescriptive practice guidelines in compliance with Board regulations; Ms. Patel-Junankar seconded the motion. The motion passed with Dr. Baum, Dr. Glinski, Ms. Cohen, Ms. Hilf and Ms. Patel-Junankar voting in favor.

Documents: Staff Assignment investigation documents and related materials

[Mr. Murphy returned to the meeting room.]

- C. SA-INV-2520 Escobedo, Hilda PA2393 (expires 3-1-2013)
Allegation: Unprofessional conduct

Dr. Baum made a motion to close the investigation for no evidence; Ms. Cohen seconded the motion. The motion passed unanimously.

Documents: Staff Assignment investigation documents and related materials

[Dr. Baum departed the meeting at 11:26 a.m.]

IX. Complaints

- A. PA-2011-003 Connolly, Mary PA35 (expires 3-1-2013)
Allegation: Failure to complete required continuing education

Ms. Stein informed the Board that the licensee declined consent agreement offered in resolution of the complaint; the matter has been referred to Office of Prosecutions.

- B. PA-2009-001 Cushman, Ina PA31 (expires 3-1-2013)
Board review: Quarterly Medication Report

The Board reviewed the licensee's quarterly medication report submitted in compliance with her Consent Agreement.

Document: Quarterly Medication Report

X. Scope of Practice Inquiries

A. Theresa Phillips, PA960, St. Vincent's Hospital

Query: Is the designated Primary Supervising Physician the physician responsible for signing off on prescriptive practice guidelines and the quarterly review of prescriptive practice for a surgical subspecialty group of PAs who will handle ENT, Urology, Neurology, Plastics, and GYN.?

This query was initially reviewed at the Board's April 12, 2012 meeting and further discussion was deferred until additional information could be obtained.

Dr. Baum noted that a physician in charge of hospitalist services would be needed to supervise the PAs in the circumstances described. After discussion, the Board requested that additional information be requested from the Board of Registration in Medicine and deferred the matter to the Board's July 2012 meeting.

Document: Query sent by email by Ms. Phillips

B. Physician Assistant Dermatology and Cosmetic Practice Advertisement

The Board reviewed an advertisement appearing in *Dermatology World* for a physician to supervise a physician assistant in a "dermatology and cosmetic practice start-up." A physician assistant is starting a private practice and is looking for a licensed physician "to act as supervisor." The advertisement states, "The SP will not be required to see patients."

The Board requested that a letter be sent to the physician assistant's attorney stating that the supervising physician must see patients in accordance with its regulations, including regulations at 263 5.05(3) that state that the physician assistant shall not supplant a licensed physician as the principal medical decision-maker.

Document: Copy of advertisement appearing in *Dermatology World*

C. Physician Assistants and Ordering of Patient Restraints

A representative of a non-acute rehabilitation hospital that is revising its policies and procedures called the Board office with the query: May physician assistants order patient restraints?

The Board discussed the Massachusetts laws that address the ordering of restraints and recently promulgated CMS regulations addressing who may order restraint or seclusion. The Board requested that the Board of Registration in Medicine be contacted for additional information.

Document: practice query and related information

D. Michael Gilman, PA4155

Query: Do Medicare, private insurers, and/or Board regulations permit physician assistants to prescribe durable medical equipment and goods and home services such as home health aides, physical therapy, and occupational therapy?

Following discussion, the Board determined that Board regulations do not specifically address the question and thus do not prohibit physician assistants from prescribing such goods and services; however, third party billing, insurance carriers and employers/facilities may require that these goods and services be ordered by a physician.

Document: practice query (email)

XI. Other Business/Announcements

A. Election of Board Officers

Chair: Richard Murphy (current)

Vice-Chair: Dipu Patel-Junankar (current)

The Board deferred the elections to the next Board meeting.

B. Drug Control Program's Prescription Monitoring Program: Prescriber Outreach Letter
Ms. Graham provided an update of the Prescription Monitoring Program.

Document: email correspondence from Prescription Monitoring Program

C. DPH's Health Workforce Center: *Health Professions Data Series: Physician Assistants 2011 (Draft)*

Julia Dyck, Health Care Work Force Center, DPH, presented a draft of the *Health Professions Data Series: Physician Assistants 2011* to the Board.

D. Legislative Updates

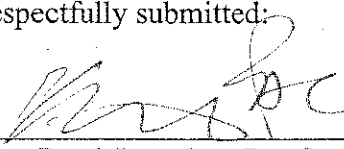
Ms. Graham reviewed several bills that are pending in the legislature regarding physician assistant practice. Included in the proposed legislation is language that would remove the number of physician assistants that a physician may supervise at any one time and language that would remove the current requirement that a physician assistant's supervising physician's name appear on any prescription issued by the physician assistant.

XII. Adjourn

There being no other business before the Board, Dr. Glinski made a motion to adjourn the meeting; Ms. Patel-Junankar seconded the motion. The meeting adjourned at 12:31 p.m.

The next meeting of the Board of Registration of Physician Assistants will be held on Thursday, July 12, 2012, at 9:30 a.m. at 239 Causeway Street, Boston, Massachusetts.

Respectfully submitted:



Dipu Patel-Junankar, PA-C
Vice-Chair

7/12/12
Date