

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, September 10, 2020
9:30 a.m.

General Session is open to the public and will be held via Webex at
<https://statema.webex.com/statema/j.php?MTID=m839b2f4b2166b8c25b8d6488b247d08c>

Call-In Telephone number 1-866-692-3580 (toll-free)

Meeting Number/Access Code: 171 695 3043

Meeting Password: 4cK3fwmCJU6

AGENDA

All Votes Must Be Via Roll Call

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. July 9, 2020 General Session Meeting Minutes	Draft Minutes	Board Chair
	IV	Inquiry A. The scope of practice of physician assistants in Massachusetts 1. Inquiry from Sean Hoffman 2. Inquiry from Colleen Bayard	Emails	Board Counsel
	V	Discussion A. Links to external websites		ED
	V	Investigations: N/A <i>Triage: None</i> <i>Staff Assignment(s): None</i> <i>Complaint(s): None</i>	N/A	

	VI	Flex Session A. Announcements 1. New email domain B. Topics for future agenda		ED
	VII	Executive Session: 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. 1. Specifically, 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. 2. Specifically, the Board will discuss and evaluate the Good Moral Character as required for registration for pending applicants 3. Specifically, the Board will discuss complaints or charges brought against a Licensee or Licensees. The Board will not reconvene in public session subsequent to the closed session(s).		Board Chair
	VIII	65C Session: N/A	N/A	
	IX	Adjudicatory Session: N/A	N/A	
12:00 p.m.	X	Adjournment - Next Board meeting scheduled for October 8, 2020.		

If you need reasonable accommodations in order to participate in the meeting, contact the DPH ADA Coordinator Yulanda Kiner, Phone: 617-624-5848 in advance of the meeting. While the Board will do its best to accommodate you, certain accommodations may require distinctive requests or the hiring of outside contractors and may not be available if requested immediately before the meeting.

Board Meeting Agenda, September 10, 2020
Board of Registration of Physician Assistants

**Commonwealth Of Massachusetts
Department Of Public Health
Bureau of Health Professions Licensure
Board of Registration of Physician Assistants**

MEETING MINUTES

**REGULAR SESSION
(OPEN SESSION)**

**September 10, 2020
Via WebEx**

Board Members

Present: Dipu Patel, PA-C, Physician Assistant 1, Chair
Shannon Sheridan-Geldart, PA-C, Physician Assistant
Educator,
Vice-Chair
Paul Crehan, PA-C, Physician Assistant 4, Secretary
Mary Kuzmeski PA-C, Physician Assistant 2
Alithia C. Monroe, PA-C, Physician Assistant 3
Robert Baginski, MD, Physician

Board Members

Not Present: Richard Baum, MD, Massachusetts Medical Society

Staff Present:

Steven Joubert, Executive Director, Multi-Boards
Karen Geoghegan, Assistant Executive Director, Multi-Boards
Mary Strachan, Board Counsel, Office of the General
Counsel
Lisa Seeley-Murphy, Compliance Officer, Multi-Boards
Eleanor Montgomery, Office Support Specialist, Multi-Boards
Boards
James Neal, Office Support Specialist, Multi-Boards
Walens Noel, Office Support Specialist, Multi-Boards

Staff Not Present:

- I. Call to Order | Determination of Quorum | Notice of Electronic Recording
Ms. Dipu Patel, Board Chair, called the Regular Session meeting of the Board of Registration of Physician Assistants to order at 9:33 a.m.

Board members stated their names for the record. A quorum of the Board was determined. Ms. Patel announced that the meeting will be recorded.

Roll call vote was taken with Board members present via WebEx. Dipu Patel: Yes; Shannon Sheridan-Geldart: Yes; Robert Baginski: Yes; Alithia C. Monroe: Yes;

Paul Crehan: Yes; Abstained: None; Absent: Richard Baum, Mary Kuzmeski;
Recused: None.

II. Conflict of Interest | Approval of Agenda

The regular meeting agenda for September 10, 2020 was reviewed for approval. Board members were asked to disclose any conflicts of interest with the present agenda there were no conflicts of interest.

Ms. Mary Kuzmeski joined the WebEx at 9:35 A.M.

Discussion:

None

Action:

Motion by Mr. Paul Crehan to approve the regular meeting agenda, seconded by Ms. Shannon Sheridan-Geldart and passed unanimously by roll call vote as follows: Dipu Patel: Yes; Shannon Sheridan-Geldart: Yes; Robert Baginski: Yes; Mary Kuzmeski: Yes; Alithia C. Monroe: Yes; Paul Crehan: Yes; Abstained: None; Absent: Richard Baum; Recused: None

Document: September 10, 2020 Physician Assistant Regular Session Draft Meeting Agenda

III. Approval of Minutes

Board members reviewed the July 9, 2020 Physician Assistant Regular Session Draft Meeting Minutes for approval. Ms. Karen Geoghegan noted that Board members received an amended version of the July 9, 2020 minutes to review in lieu of the one in the Board packets.

Discussion:

None

Action:

Motion by Mr. Crehan to approve the July 9, 2020 minutes, seconded by Dr. Robert Baginski and passed unanimously by roll call vote as follows: Dipu Patel: Yes; Shannon Sheridan-Geldart: Yes; Robert Baginski: Yes; Mary Kuzmeski: Yes; Alithia C. Monroe: Yes; Paul Crehan: Yes; Abstained: None; Absent: Richard Baum; Recused: None.

Document: July 9, 2020 Physician Assistant Regular Session Draft Meeting Minutes

IV. Inquiry: Scope of Practice of Physicians Assistants in MA

A. Inquiry from Sean Hoffman

Board Counsel, Ms. Mary Strachan summarized the inquiry for the Board. Mr. Hoffman runs a MedSpa where he performs Botox injections. His question: can he train other healthcare professionals to also perform this service?

DISCUSSION:

Ms. Strachan directed Board members to the statute at MGL 112 § 9E and Board Regulations at 263 CMR 5.00 which describe the Physician Assistant's scope of practice. Neither the statute, nor the regulations, directly address the issue of a PA training someone. She emphasized that the statute and regulations state that a PA must be supervised by a physician. Ms. Sheridan-Geldart stated that she saw no issue so long as the PA was operating under their supervising physician as it is similar to teaching students. Ms. Alithia Monroe stated that she felt it was good form that PAs who are training to give injections be certified with a national esthetic organization or the makers of Botox. Mr. Crehan asked if they would be required to have documented procedures for training. Ms. Patel agreed that these were valid points and that they could include this in the letter to Mr. Hoffman but that the Board's jurisdiction is not to weigh in on business practices but rather to decide the scope of practice. Ms. Strachan will prepare a response on behalf of the board.

ACTION:

Motion for Board Counsel to prepare a response stating that it is within the scope of practice for a PA to train healthcare professionals in Botox injectors by Mr. Crehan and seconded by Ms. Sheridan-Geldart and passed unanimously by roll call vote as follows: Dipu Patel: Yes; Shannon Sheridan-Geldart: Yes; Robert Baginski: Yes; Mary Kuzmeski: Yes; Alithia C. Monroe: Yes; Paul Crehan: Yes; Abstained: None; Absent: Richard Baum; Recused: None.

Document: Email

B. Inquiry from Colleen Bayard

Board Counsel, Ms. Strachan summarized the inquiry for the Board. The individual asked for the Board's interpretation of a federal statute (the CARES Act), which the Board is not in a position to do. Ms. Strachan stated that the board could answer the question as to whether or not it was in the Massachusetts Scope of Practice to order home care services for a patient.

DISCUSSION:

Ms. Patel noted that it is, so long as it is in the scope of practice of the PA's supervising physician. Ms. Mary Kuzmeski stated that CMS lifted that prohibition and that law stated that they were allowed to do it.

ACTION:

Motion to confirm that Physicians Assistants may order home care services for a patient by Mr. Crehan, seconded by Ms. Kuzmeski and passed unanimously by roll call vote as follows: Dipu Patel: Yes; Shannon Sheridan-Geldart: Yes; Robert Baginski: Yes; Mary Kuzmeski: Yes; Alithia C. Monroe: Yes; Paul Crehan: Yes; Abstained: None; Absent: Richard Baum; Recused: None.

Document: Email

V. Discussion:

A. Links to external websites.

Executive Director, Mr. Steven Joubert alerted the Board members about an online scam that Dr. Richard Baum brought to his attention. The entity is posing as the Department of Public Health and asking PAs to send them money. The Bureau was made aware of this scam earlier in the summer and the Bureau Director has sent out a written communication on the matter.

VI. Flex Session:

Ms. Geoghegan let board members know that the domain in their state emails has changed to “mass.gov.” No action is needed on the Board Members’ parts and all mail to their old email will be automatically delivered to the new one.

VII. Executive Session

At 9:53 a.m., Ms. Patel announced that the Board will meet in Executive Session as authorized pursuant to M.G.L. c. 30A, § 21(a) (1) and (3) 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, and to discuss strategy with respect to litigation as a public discussion may have a detrimental effect on the Board’s position.

1. Specifically, 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.
2. Specifically, the Board will discuss and evaluate the Good Moral Character as required for registration for pending applicants.
3. Specifically, the Board will discuss complaints or charges brought against a Licensee or Licensees.

ACTION:

Motion to move to Executive Session by Mr. Crehan, seconded by Ms. Sheridan-Geldart and passed unanimously by roll call vote as follows: Dipu Patel: Yes; Shannon Sheridan-Geldart: Yes; Robert Baginski: Yes; Mary Kuzmeski: Yes; Alithia C. Monroe: Yes; Paul Crehan: Yes; Abstained: None; Absent: Richard Baum; Recused: None

The Board will not reconvene in public session subsequent to the closed session(s).

The next meeting of the Board of Registration of Physician Assistants is scheduled for **Thursday, October 8, 2020 at 9:30 a.m.** remotely on WebEx.

Respectfully Submitted,

The Board of Registration of Physician Assistants