



PHYSICIAN ASSISTANT BOARD
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MEETING MINUTES

May 20, 2013

PHYSICIAN ASSISTANT BOARD
2005 Evergreen Street – Hearing Room #1150
Sacramento, CA 95815
9:00 A.M. – 3:00 P.M.

1. **Call to Order by President**

President Sachs called the meeting to order at 9:15 a.m.

2. **Roll Call**

Staff called the roll. A quorum was present.

Board Members Present: Robert Sachs, PA-C
 Charles Alexander, Ph.D.
 Cristina Gomez-Vidal Diaz
 Sonya Earley, PA
 Jed Grant, PA -C
 Catherine Hazelton

Board Member Absent: Rosalee Shorter, PA

Staff Present: Glenn Mitchell, Executive Officer
 Laura Freedman, Senior Staff Counsel, Dept.
 of Consumer Affairs (DCA)
 Dianne Tincher, Enforcement Analyst
 Lynn Forsyth, Staff Services Analyst
 Julie Caldwell, Licensing Technician

3. **Approval of February 11, 2013, Meeting Minutes**

The February 11, 2013 minutes were approved as drafted.
(m/Grant, s/Diaz, motion passes)

4. **Public Comment on Items not on the Agenda**

There was no public comment at this time.

5. **Reports**

a. **President Report**

President Sachs opened the meeting by introducing the members to the audience.

President Sachs stated that he had the opportunity to participate as a founding member for a new physician assistant training program in Orange County. The program will be a 27 month master's degree program. ARC-PA accreditation review will be in October 2013 and they anticipate their first class will start in September of 2014.

President Sachs also stated that he was asked to be the key note speaker for the graduating class at the USC PA Program.

b. **Executive Officer Report**

Mr. Mitchell stated that California Academy of Physician Assistant (CAPA) and OSHPD (Office of Statewide Health Planning and Development) have been working together to gather workforce data on the PA practice in California. Mr. Mitchell stated that the board was asked to assist in informing licensees about the survey. The data obtained from the survey will be helpful not only to CAPA and OSHPD but also to the board in learning about and addressing future workforce issues. Mr. Mitchell stated that a link has been placed on our website to the survey.

Mr. Mitchell informed the members that the California Health and Human Services Agency and the State and Consumer Services Agency are collaborating on the California Framework for Regulating Health Care Delivery project. DCA health care boards have been asked to participate in a survey.

Mr. Mitchell stated that the California Framework for Regulating Health Care Delivery project is to document and improve the awareness of state government's framework for regulating health care facilities, clinics, agencies and the health care professionals who provide health care.

Mr. Mitchell informed the members that the board's website has been updated to include the following: the latest edition of the PA Laws and Regulations, information about renewal fee waiver for active duty military personnel, and information about the new 800 series reporting requirements.

Mr. Mitchell provided an update on the regulations for Sponsored Free Health Care Events. The rulemaking file has been reviewed and approved by DCA and the regulatory package was sent to the Department of Finance on 8 May 2013 for their review. Upon their approval the package will be sent to the Office of Administrative Law for review and approval.

c. Licensing Program Activity Report

Between January 1, 2013, and April 1, 2013, 130 physician assistant licenses were issued. As of April 1, 2013, 8,961 physician assistant licenses are renewed and current.

e. Diversion Program Activity Report

As of April 1, 2013, the Diversion Program has 17 participants, which includes 2 self-referred participants and 15 Board referrals, for a total of 107 participants since program implementation in 1990.

f. Enforcement Program Activity Report

Between July 1, 2012 and March 31, 2013, 209 complaints were received; 96 complaints are pending; 41 investigations are pending; 43 probationers, and 25 cases awaiting administrative adjudication at the Office of the Attorney General.

6. **Department of Consumer Affairs**

a. Director's Update

b. Executive Officer Performance Evaluation Process and Discussion

a. Jeannie Wong of the Director's office provided the members with a brief update on department activities. Ms. Wong stated that orientation for new board members would be conducted in Southern California on July 16th 2013. Ms. Wong also stated that this training is mandatory for new board members within the first year of their appointment.

b. President Sachs informed the members that the Department of Consumer Affairs wanted to ensure that board members are aware of the executive officer evaluation process. President Sachs explained that the executive officer evaluation is generally performed during the last meeting of the year and that a sample copy of the evaluation form was in the meeting packets for their review.

7. **Nomination and Election of Physician Assistant Board Vice-President**

The board's Vice-president position has been vacant since January 2013. Mr. Sachs made a motion to nominate Cristina Gomez-Vidal Diaz as Vice-President. No other nominations were received.

Motion was carried to elect Ms. Diaz as Vice-President for 2013.
(m/Sachs, s/Earley, motion passes)

8. **Update on Current Budget and Presentation on the Budget Process**

Jennifer Espera a budget analyst with the Department of Consumer Affairs provided the board members with information regarding our current budget and a brief overview of the budget process.

9. **Presentation from the Department of Public Health on Fluoroscopy Permit Requirements for PAs**

Phillip Scott of the California Department of Public Health provided the members with an overview of fluoroscopy permit requirements and proposed regulations.

Mr. Scott stated that AB 356, which was sponsored by CAPA, became law January 1, 2010. Mr. Scott explained that the law implemented provisions of the Health and Safety Code to permit PAs who meet certain standards of education, training and experience to operate fluoroscopy equipment.

He also stated that the Department of Public Health is currently proposing regulations to implement the various provisions of AB 356. He anticipates that the regulations should be adopted in August 2013.

Mr. Scott also stated that letters have been to schools regarding the new law and proposed regulations and training requirements for PAs. Mr. Scott stated that he is encouraging PA programs to include fluoroscopy training as part of their curriculum.

10. **CLOSED SESSION:** Pursuant to Section 11126(c)(3) of the Government Code, the Board moved into closed session to deliberate on disciplinary matters

RETURN TO OPEN SESSION

11. **Discussion on Proposed Personal Presence Regulations**

President Sachs provided a brief overview of prior discussions on proposed personal presence language.

Following a brief discussion it was determined that PA staff along with board legal counsel meet with the Medical Board of California to address concerns raised by the Medical Board with regard to this regulatory proposal. It was also determined that following this meeting revised language for the regulations would be presented at the next board meeting in August 2013.

12. **Discussion of Title 16, California Code of Regulations Section 1399.546 – Reporting of Physician Assistant Supervision as it Relates to New Electronic Medical Records Technology**

President Sachs provided the members with a brief overview of operational issues relating to new electronic medical records reporting systems that are now being utilized in medical practices.

CAPA stated that they are receiving many calls regarding this issue.

Laura Freedman, Senior Staff Counsel, Dept. of Consumer Affairs (DCA) stated that she would review the current laws and regulations to determine if there are measures that may be implemented to address this issue. Ms. Freedman also stated that since this is a scope of practice issue, any regulatory changes would have to be approved and adopted by the Medical Board of California.

13. **Requests for Interviews of Board Members**

President Sachs informed the members that recently staff has received a number of requests to interview board members. President Sachs stated that generally the requests are from high school students seeking information about the PA profession. President Sachs also stated that staff has been receiving requests to interview board members from students in PA programs as part of an assignment. Following a discussion, the members decided that if staff receives a request for interviews from high school students members agree to be interviewed. However, if the requests are from PA students members won't be able to respond due to the number of students involved.

14. **Update on BreEZe Implementation**

Mr. Mitchell stated that BreEZe is a new computer system designed to replace two legacy computer systems, ATS and CAS. These systems impact the licensing, verification, and enforcement processes.

Mr. Mitchell also stated that user acceptance testing on the new system continues. The vendors and DCA are working with the boards to ensure that a quality product is in place prior to the go live implementation date. At this time DCA is negotiating with the vendors to establish a go-live date.

15. **Consideration of Establishing a Legislation Committee and Appointment of Committee Members**

Following a discussion, the board members expressed an interest in establishing a Legislation Committee. The purpose of the committee would be to review legislation that would impact the board, licensees and consumers, and make recommendations to the board regarding possible positions on proposed legislation.

President Sachs suggested that the committee should consist of two board members. President Sachs recommended that Catherine Hazelton and Sonya Earley be appointed to the Legislation Committee

A motion as made to create a Legislation Committee consisting of Catherine Hazelton and Sonya Earley.
(m/Grant, s/Earley, motion passes)

16. **Consideration of Legislation of Interest to the Physician Assistant Board**
AB 154, AB 186, AB 1057, SB 305, SB 352, SB 491, SB 492, SB 493, SB 494,
SB 809, other bills introduced or amended after publication of the agenda

The Board briefly discussed current legislation of interest. President Sachs stated that CAPA has sponsored two bills, SB 352 and SB 494.

Following discussion a motion was made to take a “support” position on Senate Bill 352. Board staff was directed to prepare and send a letter of support to the bill’s author.

(m/Grant, s/Diaz, motion passes)

Ms. Freedman also brought to the boards attention, SB 304. SB 304 would impact the board, because it proposes, among other things, to move Medical Board of California investigators to the Office of the Attorney General. The board utilizes the services of Medical Board of California investigators to investigate physician assistant complaints. The board will watch this bill.

17. **Review of and Discussion of Updating the Board’s Strategic Plan**

President Sachs stated that the Boards Strategic Plan was last updated in November 2009. President Sachs indicated that DCA is encouraging all Boards to review and update their plans.

Following a brief discussion it was decided that at the August board meeting the members begin reviewing the plan.

Staff informed the board that the Department of Consumer Affairs SOLID Training Office will assist them reviewing, updating, revising, or replacing the current plan.

18. **Agenda Items for Next Meeting**

- a. Strategic Plan
- b. Report from Legislative Committee
- c. BreEZe Update
- d. Presentation on Access to Care/Workforce Issues
- e. Mandated Reporting Requirements for PAs
- f. Presentation from Maximus
- g. Fluoroscopy Permit Requirements Update

19. **Adjournment**

The meeting adjourned at 2:45 P.M.