



#### **4. Presentation of Plaque to Rick Wallinder from the committee**

Mr. Sachs presented Rick Wallinder, former Executive Officer, with a plaque of appreciation for his tenure and service as Executive Officer of the Physician Assistant Committee. Mr. Wallinder thanked the committee for the plaque, and expressed his appreciation for all their support during his tenure, noting that he respects the committee and the job they perform. Mr. Wallinder served in the capacity of the Executive Officer from 2000 until 2006.

#### **5. Presentation from Antonette Sorrick, Deputy Director, Department of Consumer Affairs Board Relations**

Antonette Sorrick thanked the committee for their support of Rick Wallinder who was recently appointed as the Executive Officer for the Dental Board. Ms. Sorrick announced that Governor Schwarzenegger has appointed Department of Consumer Affairs' (DCA) Director Charlene Zettel to the San Diego Airport Authority, and Scott Reid assumed the position of Chief Deputy at DCA.

Ms. Sorrick noted that the committee would be hearing more from Governor Schwarzenegger as well as the Health Policy Advisor about the Governor's Health Care Reform, regarding the ways that some DCA boards and commissions look at their scopes of practice, regulations and legislation, in order to expand access to health care to communities.

#### **6. Presentation Ex Parte Communications by Laura Freedman, Staff Counsel, Department of Consumer Affairs**

Laura Freedman reported that Chairman Sachs had recently received an email from an individual who had contacted him regarding a licensing applicant. As a result, the Legal Office sent a response letter to the individual to clearly state that the communication was inappropriate.

Ms. Freedman reminded the members about contacts they may receive in regard to cases they may be reviewing. She reminded members to not talk to individuals who may contact them in regard to specific enforcement cases, in order to avoid ex parte communications.

#### **7. Reports**

##### **A. Chair's Report (Sachs)**

Mr. Sachs reported that the two-year certificate programs will be coming up for reaccreditations from the Accreditation Review Commission on Education for Physician Assistants. (ARC-PA). Mr. Sachs stated that more would be forthcoming in the next two to three months on the issue of whether the ARC will continue to certify these two-year programs that don't offer a bachelor's degree. This issue could potentially impact five of the ten physician assistant programs in California that are certificate based.

Ms. Sorrick reported that the State Chief Information Officer did a survey of all of the State's websites and DCA ranked 47<sup>th</sup> for user friendly ability. By November all of the DCA board and commission websites will have been changed to closely resemble the CA.Gov website. The Physician Assistant Committee website is currently in the process of being changed to comply with the requirement.

#### **B. Interim Executive Officer's Report (Portman)**

As of December 31, 2006, the PAC still retained 52% of the enforcement budget, and it appears at this time that the budget may be sufficient for the remainder of this fiscal year.

The committee staff has received numerous requests for determining if a hospital or clinic is located in an underserved area of the state. Some of these requests are attributed to the article that appeared in the last Medical Board of California (MBC) Newsletter. At the time of the meeting, the staff had received about 14 calls. The committee will also request that an article be placed in the next Newsletter.

Ms. Portman reported on the Ad Hoc Reporting System, which will allow the PAC to obtain reports and statistics from the database. Ms. Portman also reported that the I-licensing project is still progressing, which will allow the PAC to accept credit card renewal payments.

Ms. Portman reported that the MBC is beginning to email their Division of Medical Quality board members the legal documents they must review as part of the voting process. The emails will consist of legal documents mailed as PDF documents, and this will eliminate the need for much of the mailing of documents to the board members. This new process will save expenses for both mailing costs and reproduction. The committee will review this process to consider if it may be something that the committee members may want to also use.

The two regulation packages that are at the Department of Consumer Affairs are in the process of being reviewed and it is anticipated they will be forwarded to the Office of Administrative Hearings soon.

Ms. Portman explained the provision of Senate Bill 231, which was implemented in January 2006 and began the enforcement model vertical prosecution. The vertical prosecution model matches a deputy attorney general with an investigator early on in investigation of a case, to make the enforcement process more efficient and effective, since the deputy attorney general can assist by working with the investigators during their investigation.

### **C. Licensing Program – activity report (Mitchell)**

Glenn Mitchell stated that between October 1, 2006 and January 1, 2007, 187 licenses were issued, along with 6 interim approvals. In comparison, from 2005/2006, 213 licenses were issued and 13 interim approvals were given. As of January 1, 6,248 licenses have been issued, with a total of 153 approved programs.

### **D. Diversion Program – activity report (Mitchell)**

As of January 2007, Diversion has seven participants, three of which are voluntary participants and four are committee referrals. To date there have been (62) participants since implementation of the program. The Committee would like to have a presentation at a future meeting by the diversion program. Mr. Mitchell is in the process of beginning the request for bid process to renew a contract for services.

### **E. Enforcement Program – activity report (Tincher)**

Ms. Tincher reported that between July 1<sup>st</sup> and December 31<sup>st</sup>, the PAC received sixty-nine (69) complaints, closed eight-three (83), and had thirty-nine (39) pending.

As for investigations, Ms. Tincher reported that thirty (30) cases were opened and eighteen (18) were closed, with thirty (30) pending. The disposition of the complaints was thirty-one (31) closed with merit, fifty-two (52) closed with insufficient evidence, and one referred to the District Attorney.

As for probationers, Ms. Tincher reported that there are 39 active and five tolled. The cost recovery ordered was \$27,700 and during that time we received \$14,280. In disciplinary decisions, there were two license denials, one non adoption, seven people placed on probation, one person revoked, three voluntary surrenders, and two probationary licenses, with another out for vote. Five accusations were filed, one statement of issues, a withdrawal of one statement of issues, and one interim suspension order. Currently there are 19 cases pending at the Office of the Attorney General, and in regard to citations, two were issued, two were closed, and one withdrawn, leaving two pending citations. The fine amount on the citations that were issued was \$1,500.

Ms. Tincher referred to the bar charts and discussed the comparisons in the charts. Discussion was held regarding the aging of cases at the Office of the Attorney General. Ms. Tincher also reported that in cost recovery, the PAC has ordered \$203,132, and has received \$155,719, with the outstanding balance being approximately \$60,000, with the uncollectible amount being \$54,000.

Discussion ensued about how complaints are received and handled at the MBC for the committee; the new vertical prosecution model that may lower enforcement costs because of the involvement of the attorney general early in the investigation of cases, as well as the value of the diversion program.

**8. Discussion of Governor Schwarzenegger's Proposed Health Plan (Sachs)**

Mr. Sachs stated that the Governor approaching a long-standing problem by identifying some of the problems in order to make needed changes and improvements. He noted that physician assistants are not specifically mentioned in the plan. Sachs mentioned that there was a rumor about PA's requesting to work more independently, and CAPA would be responding. Discussion ensued about the health plan and the opportunity for improvements to be made to health care reform

Mr. Sachs asked the committee should embrace this opportunity for improvement to health care and gave his full support to the Governor for his effort to change and enact health care reform for California consumers.

**9. Set Committee meeting dates for 2007 (Sachs)**

Dates were set for the 2007 meetings: May 31, 2007 in Los Angeles, August 30th, and November 8, 2007.

**10. Update on Plastic Card Licenses (Sachs)**

Ms. Portman reported that DCA is currently negotiating to have all boards and committee's licenses printed at Department of Technology Services, which will also be able to print plastic licenses. The first phase will convert all of the printing of paper licenses from EDD to the Department of Technology Services, and then after this is completed, they will be able to offer printing of plastic licenses.

The committee will be able to have plastic licenses printed instead of paper in about 18 months.

**11. Model Disciplinary Guidelines and Order (Klompus)**

Mr. Klompus reported that Laura Freedman and Dianne Tincher spent a great amount of time going over the Disciplinary Guidelines to clarify the terminology, refine the guidelines, and bring them closer in line with the MBC. A motion was made to approve the changes to the Disciplinary Guidelines, and delegate authority for the Executive Officer to make non-substantive technical changes at the conclusion of the regulatory process (m/Klompus/s/Sun/c).

**12. Update on Moving Physician Assistant Committee's Office from Howe Avenue to Evergreen Avenue (Portman)**

Ms. Portman stated that the move is scheduled for September 1, 2007, but that a meeting had been held regarding the move and Beverly Bandera, Associate Business Management Analyst (ABMA), had said the move was going to be delayed until November 2007. Ms. Bandera had called a meeting for executive officers involved in the move to decide whether the previous color palette selected for the modular furniture needed to be changed. At the conclusion of the meeting, the color choice was not changed or modified.

### **13. Items for Next Meeting (Sachs)**

The following agenda items were suggested

- a. CME requirements
- b. Governor's Health Plan
- c. Executive Officer
- d. Diversion presentation
- e. PACE presentation
- f. Probation presentation

Adjourned at 2:15 PM.