



Meeting Minutes

November 10, 2011

PHYSICIAN ASSISTANT COMMITTEE
2005 Evergreen Street – Hearing Room #1150
Sacramento, CA 95815
9:15 A.M. – 3:15 P.M.

1. Call to Order by Chairman

Chairman Klompus called the meeting to order at 9:20 a.m

2. Roll Call

Staff called the roll. A quorum was present.

Committee Members Present: Steve Klompus, PA
Roslynn Byous, PA, DPA
Robert Sachs, PA-C
Shaquawn D. Schasa
Steven Stumpf, Ed.D.
Shelia Young

Committee Members Absent: Cristina Gomez-Vidal Diaz
Reginald Low, M.D.

Staff Present: Elberta Portman, Executive Officer
Kurt Heppler, Senior Staff Counsel, Dept. of
Consumer Affairs (DCA)
Glenn Mitchell, Regulation/Lead Licensing
Analyst
Dianne Tincher, Enforcement Analyst
Lynn Forsyth, Staff Services Analyst

3. Approval of August 22, 2011 Meeting Minutes

The August 22, 2011 minutes were approved as drafted.
(m/Young, s/Sachs, motion passes)

4. Public Comment on Items not on the Agenda

There was no public comment at this time.

5. Reports

a. Chair's Report

The Chair introduced the members and staff to the audience.

b. Executive Officer's Report

Ms. Portman reported that the licensing desk is being kept current. Ms. Portman also reported that we have been notified that we may fill our vacant licensing position because the Department of Consumer Affairs received approval to fill exemptions that were at the Department of Finance for approval. Ms. Portman indicated that staff is working with the Department's Office of Human Resources to begin the hiring process.

Ms. Portman reported that the Committee's Sunset Report was completed and delivered to the Legislature earlier than the due date of November 1. Ms. Portman also stated that it will be posted and available on the PAC website within a few days.

Ms. Portman reported that we received from the Office of Administrative Law the notice of approval of two amended sections and three newly adopted sections of Title 16, California Code of Regulations. These regulation changes will enhance consumer protection by allowing the Committee's Executive Officer to accept default decisions and to approve settlements for surrender or interim suspensions. This regulatory change also allows the Committee to order an applicant for licensure to submit to a physical or mental exam if there is reasonable belief that the applicant, due to physical or mental issues, may be unable to safely perform PA duties.

c. Licensing Program Activity Report

Between August 1, 2011 and November 1, 2011, 251 physician assistant licenses were issued. As of September 1, 2011, 8,213 physician assistant licenses are renewed and current. Currently there are a total of 157 California approved training programs approved by the Committee.

d. Diversion Program Activity Report

As of October, 2011, the Diversion Program has 25 participants, 6 self-referred participants and 19 Committee referrals. There have been 99 participants since program implementation in 1990.

e. Enforcement Program Activity Report

Between July 1, 2011 and September 30, 2011, 63 complaints were received; there are 78 pending complaints, 16 pending investigations, 36 current

probationers and 25 cases awaiting administrative adjudication at the Office of the Attorney General.

6. **CLOSED SESSION:** Pursuant to Section 11126(c) (3) of the Government Code, the Committee will move into closed session to deliberate on disciplinary matters
7. **CLOSED SESSION:** Pursuant to Section 11126(a) (1) of the Government Code, the Committee will move into closed session to conduct the annual evaluation of the Executive Officer
8. Discussion of Subcommittee Report; Consideration of Amending Regulations Regarding Interpretation of Title 16 CCR §1399.541(i)(1) CCR §1399.545 and (Personal Presence)

Mr. Sachs gave a brief overview of the recent Subcommittee meeting. A good consensus of opinion resulted from this meeting. Mr. Sachs distributed the draft language developed by the Subcommittee and stated that this language would be discussed at the Subcommittee meeting scheduled for 3:30 PM, following the regular committee meeting. Mr. Sachs stated that the final draft language approved by the Subcommittee would be presented to the full Committee for their approval and formal vote.

9. Discussion of 2 year PA Programs in California and Potential New Programs

Mr. Sachs provided the Committee members with the current ARC-PA Standards Degree Deadline issue statement. This document includes timelines to allow two year AA degree programs to eventually offer Master's Degree levels. He also states that most AA degree programs will be accredited. After a brief discussion, the Committee members determined that the issue would continue to be monitored.

10. Discussion of Revising the Committee's Disciplinary Guidelines to Incorporate SB 1441 Uniform Standards

During a discussion it was noted that the SB 1441 Uniform Standards will need to be incorporated in the Committee Model Disciplinary Guidelines and then adopted by regulations. Discussion ensued. During the discussion, the Committee members inquired how other DCA boards are addressing this issue. The Committee members asked legal counsel, Kurt Heppler, to report at the next meeting what the Department and other boards are doing regarding implementing SB 1441 Uniform Standards. Staff was also directed to consult with the Department of Consumer Affairs and report back to the Committee regarding the legislative opinion about implementation of the Uniform Standards.

11. Discussion and Consideration of Regulations to Implement Senate Bill 2699 Health Care Events – Requirements for Exemption, as required by Business and Professions Code Section 901

The Committee discussed the newly adopted B&P Code Section 901, which would permit health care licensees from other states to provide health care services at health care events in California without obtaining a license in California. Following discussion, the Committee directed staff to research the

possibility of inserting language in the application form regarding the Delegation of Services Agreement and provide the members with recommendations at the next meeting.

12. Update and Potential Consideration of Legislation of Interest to the Physician Assistant Committee

AB 30, AB 82, AB 92, AB 136, AB 137, AB 138, SB 28, SB 69, SB 100, SB 161, SB 233, SB 541, SB 544, SB 943

The Committee noted that SB 233 (Pavley) was chaptered 9/26/11. This law expands the definition of a medical professional providing consultation, care, treatment and surgery in an emergency department (ED) setting to include a physician assistant (PA) practicing in compliance with prescribed provisions.

The Committee also noted that SB 541 (Price) was chaptered 9/26/11. This bill authorizes the PAC and other boards to enter into an agreement with an expert consultant, subject to the standards regarding personal service contracts described above, to provide enforcement and examination assistance.

13. Nomination and Election of Physician Assistant Committee Officers

Mr. Klompus made a motion to nominate Bob Sachs as Chairperson. No other nominations were received. Motion was carried to elect Mr. Sachs as Chairman for 2012.

(m/Klompus, s/Schasa, motion passes)

Mr. Sachs made a motion to nominate Steve Klompus as Vice-Chairperson. No other nominations were received. Motion was carried to elect Mr. Klompus as Vice-Chairperson for 2012.

(m/Sachs, s/Byous, motion passes)

14. Approval of Passing Score for PA Initial Licensing Examinations and 2012 Dates and Locations for PA Initial Licensing Examination

A motion was made and seconded to approve the licensing examination scores as established by the NCCPA for 2012.

(m/Young, s/Sachs, motion passes)

A motion was made and seconded to approve the exam dates and locations as established by the NCCPA for 2012.

(m/Sachs, s/Schasa, motion passes)

15. Schedule of 2012 Meeting Dates and Locations

The Committee members agreed to the following dates and tentative locations as follows:

February 6th (Monday) in Sacramento
May 10th (Thursday) in Sacramento
August 9th (Thursday) in Sacramento
November 1st (Thursday) in Sacramento

The Committee will also decide at the February 2012 meeting whether to change

the scheduled 2012 meeting days from Thursday to Monday of the same week.

16. Agenda Items for Next Meeting

- a. Discussion of Subcommittee Report; consideration of amending regulations regarding interpretation of Title 16 CCR §1399.541(i) (1) CCR §1399.545 and (Personal Presence).
- b. Discussion of 2 year PA programs in California and potential new programs: Update
- c. Discussion of possible revisions of the Committee's Disciplinary Guidelines to incorporate SB 1441 Uniform Standards.
- d. Discussion and consideration of regulations to implement the provisions of B&P Code section 901 Health Care Events – requirements for exemption.
- e. Update and potential consideration of legislation of interest to the Physician Assistant Committee.
- f. Possible change of meeting dates for 2012
- g. BreEZE Update
- h. Presentation by Budget staff on PAC Budget report for reserve loan and expenditures
- i. Presentation by BreeZe

17. Adjournment

The meeting adjourned at 2:37 p.m.