



Meeting Minutes

August 6, 2012

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

1. **Call to Order by Chairman**

Chairman Sachs called the meeting to order at 9:05 a.m.

2. **Roll Call**

Staff called the roll. A quorum was present.

Committee Members Present: Robert Sachs, PA-C
Cristina Gomez-Vidal Diaz
Steve Klompus, PA
Shaquawn D. Schasa
Steven Stumpf, Ed.D.

Staff Present: Elberta Portman, Executive Officer
Laura Freedman, 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 May 7, 2012 Meeting Minutes**

Ms. Portman recommended that the following changes be made to the minutes of the May 7, 2012 meeting:

Item #10 – Sunset Review Update.

First paragraph, the second sentence should read, "some of the recommendations from the Sunset Committee for SB 1236 are to change...."

Third paragraph, second sentence add the wording, “for SB 1236” following additional hearing:

Item #12 - Consideration of Legislation of Interest to the Physician Assistant Committee

Delete the second sentence in the paragraph and replace it with as noted above –“the PAC voted to support SB 1236”.

The May 7, 2012 minutes were approved with changes.

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

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

There was no public comment at this time.

5. **Reports**

a. Chairman Report

Chairman Sachs introduced the members of the Committee as well as staff. Chairman Sachs indicated that a quorum was present.

Chairman Sachs reported that he has been invited to give a lecture at the California Academy of Physician Assistant (CAPA) annual conference held in October, 2012.

b. Executive Officer Report

Ms. Portman reported that licensing is receiving more applications due to this being licensing’s busy time of year. Ms. Portman indicated that Julie Caldwell is current with processing new applications. Ms. Portman reported that currently we have 8,646 active licenses.

Ms. Portman reported that the meeting packet contains the latest month 12 fund condition report and the Committee has 7.8 months in reserve. Ms. Portman also reported that as of the end of the fiscal year 2011/2012, the Committee had 39.99% of the budget remaining that allowed the Committee to revert \$240,857 to the reserves.

Ms. Portman reported that three outdated computers and one printer were replaced in the last fiscal year. The old computers were unable to support current software applications and, therefore, were replaced. Ms. Portman also reported that in the 2012/2013 fiscal year, the remaining three outdated computers are scheduled to be replaced. These new computers will be compatible with the Medical Board of California computers since they provide the support for our data processing systems. Ms. Portman also acknowledged thanks to the Medical Board of California for temporarily loaning the office three computers to use until the replacement computers were received.

Ms. Portman provided the members with an update on the BreEZe project. Currently testing on the new system is being performed on sample licensing files and testing for enforcement records should begin shortly. The testing will determine if BreEZE has captured data from the current CAS and ATS systems. BreEZE will replace both CAS and ATS database systems.

Ms. Portman reported that we are currently on track with our enforcement processing.

Ms. Portman reported that in July, she and Beth Grivitt of CAPA, gave a presentation to the Medical Board of California on the PAC and the PA profession. Ms. Portman indicated that the Medical Board was receptive and offered their support to the Committee.

Ms. Portman also reported that the Medical Board of California voted to support our Sunrise bill, SB 1236.

c. Licensing Program Activity Report

Between April 1, 2012 and July 1, 2012, 139 licenses were issued. As of July 1, 2012, 8,646 licenses are renewed and current.

d. Diversion Program Activity Report

As of July 1, 2012, the Diversion Program had 22 total participants; 6 self-referred participants and 16 Committee referrals, for a total of 102 participants since program implementation in 1990.

e. Enforcement Program Activity Report

Between July 1, 2011 and June 30, 2012, 267 complaints were received; 87 complaints are pending; 37 investigations are pending; 48 probationers, and 21 cases awaiting administrative adjudication at the Office of the Attorney General.

6. **Department of Consumer Affairs Director's Update**

Reichel Everhart, Deputy Director for Board/Bureau Relations for the Department of Consumer Affairs (DCA), informed the Committee that Denise Brown was officially confirmed by the Senate as the Director of DCA on July 2, 2012.

Ms. Everhart also reported that the Governor has issued an order to reorganize various state agencies. As part of this reorganization, the Department of Real Estate, Real Estate Examiners and Structural Pest Control Board will join DCA by July 2013.

Ms. Everhart also reported that office hours for the Director will be scheduled shortly at the Evergreen facility. The Director will be available to staff at the Evergreen facility during those hours

7. Regulations

a. Consideration of Regulatory Proposal Title 16 CCR §1399.545 - Personal Presence

Chairman Sachs provided the Committee with a brief update on his regulation presentation to the Medical Board of California at its March meeting. Following a brief discussion, Laura Freedman, Senior Staff Counsel, requested that she be able to review the Medical Board of California meeting minutes and report back to the Committee at the October 2012 PAC meeting .

b. Consideration of Regulatory Proposal Title 16 CCR §1399.536 - Preceptors in Physician Assistant Training Programs

Glenn Mitchell reported that the second 15-day comment period has ended and that no negative comments were received. Mr. Mitchell indicated that the regulation package would be finalized and sent to the Department of Consumer Affairs and Office of Administrative Law within the next month for review and approval.

c. Consideration of Regulatory Proposal to Implement Assembly Bill 2699 Health Care Events – Requirements for Exemption, as required by Business and Professions Code Section 901

Mr. Mitchell indicated that changes from the last meeting were incorporated into the language. Ms. Freedman recommended that the Committee take action on the proposed regulation and prepare the notice to set it for hearing.

A motion was made to proceed with the notice for hearing to implement this regulatory proposal.

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

d. Consideration of Uniform Standards for Substance Abusing Licensees and Disciplinary Guidelines Update

Ms. Tincher reported that the Committee was directed to incorporate SB 1441 Uniform Standards Regarding Substance Abusing Healing Arts Licensees into the Committee's Model Disciplinary Guidelines and into the Diversion Program requirements and contract.

Ms. Tincher stated that an interested party work shop was held on May 15, 2012 and staff discussed the uniform standards and process for implementation into the disciplinary guidelines and into the diversion program contract.

Ms. Tincher also indicated that the revisions to the Disciplinary Guidelines to add the uniform standards have been started. She stated that staff would work with Laura Freedman on the changes and anticipates the revised guidelines would be presented at the October 2012, meeting.

8. **CLOSED SESSION:** Pursuant to Section 11126(c) (3) of the Government Code, the Committee will moved into closed session to deliberate on disciplinary matters
9. **CLOSED SESSION:** Pursuant to Section 11126(a) (1) of the Government Code, the Committee will moved into closed session to evaluate the Executive Officer

RETURN TO OPEN SESSION

10. **Discussion and Consideration of Changes in Accreditation Requirements Affecting Two Year Programs**

The Committee was informed that a California two-year PA training program has been placed on probation by the Accreditation Review Commission on Education for the Physician Assistant, Inc. (ARC-PA), the national PA training accreditation organization. The Committee was advised that staff had requested that ARC-PA provide the Committee with the information regarding the reasons why ARC-PA placed the program on probation. ARC-PA responded that they are not under any obligation to notify the Committee of any program being placed on probation and to contact the program directly to obtain information regarding the probation. Laura Freedman, Senior Staff Counsel, explained that the Committee has approved ARC-PA approved programs by regulation. Because that regulation is not a contract, ARC-PA is not required to provide any information to the Committee.

The Committee discussed the possibility of inviting the two-year programs to participate in a meeting regarding accreditation as well as inviting ARC-PA to provide a presentation on their accreditation process and policies.

During public comment, Tracy DeNaro, Clinical Coordinator Physician Assistant Program for Touro University, stated that once a program is placed on probation by ARC-PA, the program must correct and conform with accreditation standards. Once corrective action is taken, full accreditation status is granted.

Following further discussion a motion was made to create an Education Subcommittee consisting of two members to address the relationship between ARC-PA, the Committee and the accreditation process.

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

Following the motion passing, Steven Stumpf and Shaquawn Schasa were appointed to the Subcommittee and asked to report back to the Committee.

11. **Sunset Review Update**

a. **Proposal to Change from Physician Assistant Committee to Physician Assistant Board**

It was briefly discussed that the Sunset Bill (SB1236) was moving forward. The following items will be included in SB 1236 and will be effective January 1, 2013 upon signature by the Governor:

- a. The bill will change the Medical Board PAC physician member from a voting to a non-voting member of the Committee;
- b. The Committee will be included in the Business and Professions Code section 800 series for reporting;
- c. The Committee's name will be changed from Physician Assistant Committee to Physician Assistant Board;
- d. The Committee will have a retired status for licensees.

The Committee was informed that the Sunset bill hearing is scheduled for August 8, 2012 and that the Medical Board of California voted to support SB1236.

b. **Update on BreEZe Implementation**

The Committee was informed that the BreEZE project is currently scheduled to be implemented in November 2012. DCA is developing a training schedule for employees involved in the first of three board/committee roll-outs. The Committee is in the first rollout. BreEZE will offer on-line renewal availability and other online enhancements for licensees and consumers.

c. **Discussion and Consideration of Promoting Workforce Development**

The Committee was informed that a career page has been added to the website. It was also discussed that under the Committee's Strategic Plan,

goal number 3 addresses the Committee's desire to provide education and outreach to consumers, healthcare providers, PA training programs and applicants in an accurate accessible manner. It was suggested, if travel is permitted, that a physician assistant practice presentation given on career day at local high schools might be helpful to encourage students to consider careers as PAs.

12. **Consideration of Legislation of Interest to the Physician Assistant Committee** SB 1236 (Sunset), SB 1483, SB 1501, SB 1575, AB 1548, AB 137, AB 1894, AB 1904

The Committee briefly discussed current legislation of interest. No action was taken at this time related to any of the bills.

13. **Review of and Discussion of Updating the Strategic Plan**

The Committee briefly discussed the Committee's current Strategic Plan that was last reviewed and updated in 2009. The Committee determined that since DCA has a new Director, the Committee would wait to see if DCA develops a new Strategic Plan and will place this item on the agenda for discussion for the first 2013 meeting. At that time the Committee will review its goals and objectives and determine if changes need to be made to the Committee's Strategic Plan.

14. **Schedule of 2012 Meeting Dates and Locations**

After a brief discussion regarding the October 29, 2012 meeting, it was decided that the meeting will start early and that all action items requiring a vote will be scheduled first on the agenda to prevent a possible quorum issue.

15. **Agenda Items for Next Meeting**

- a. Update on the Sunset Bill
- b. Current legislation of interest to the Committee
- c. Report from Education Subcommittee
- d. Report from California Academy of Physician Assistant (CAPA) on workforce workshop development
- e. Report from Robert Sachs on his attendance at the CAPA conference
- f. Update on the personal presence issue
- g. Health care event regulatory proposal
- h. Uniform Standards revisions to the Disciplinary Guidelines
- i. Nomination and election of Physician Assistant Committee Officers

- j. Approval of passing score for PA initial licensing examinations and 2012 dates and locations for PA initial licensing examination
- k. Schedule of 2013 Meeting Dates and Locations
- l. Department of Consumer Affairs update

16. **Adjournment**

The meeting adjourned at 1:00 P.M.