



MEETING MINUTES

October 29, 2012

PHYSICIAN ASSISTANT COMMITTEE
2005 Evergreen Street – Hearing Room #1150
Sacramento, CA 95815
8:15 A.M. – 3:00 P.M.

1. **Call to Order by Chairman**

Chairman Sachs called the meeting to order at 8:15 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 August 6, 2012 Meeting Minutes**

The August 6, 2012 minutes were approved as drafted.
(m/Diaz, s/Schasa, motion passes)

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

There was no public comment at this time.

5. **Nomination and Election of Physician Assistant Committee Officers**

Mr. Klompus made a motion to nominate Robert Sachs as Chairperson. No other nominations were received. Motion was carried to elect Mr. Sachs as Chairman for 2013.
(m/Klompus, s/Schasa, motion passes)

Mr. Sachs made a motion to nominate Steve Stumpf as Vice-Chairperson. No other nominations were received. Motion was carried to elect Mr. Stumpf as Vice-Chairperson for 2013.

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

6. Schedule of 2013 Meeting Dates and Locations

The Committee members discussed the following dates and tentative meeting locations for 2013:

February 11th (Monday) in Sacramento

May 20th (Monday) in Sacramento

August 26th (Monday) in Sacramento

December 9th (Monday) in Sacramento

A motion was made to approve the 2013 meeting dates and location as listed.
(m/Klompus, s/Schasa, motion passes)

7. Regulations

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

Following a brief overview by Ms. Freedman and discussion by the Committee members, it was determined that a sub-committee would be created to discuss and develop additional language for clarification. It was also suggested that a staff person from the Medical Board of California (MBC) be involved in the process. Ms. Freedman recommended that a fully noticed meeting be conducted regarding this issue.

During public comment, Ms. Rosslyn Byous requested that a surgeon be included on the sub-committee.

Following public comment, it was determined that Chairman Sachs will contact two individuals and a surgeon to participate in the sub-committee to draft language to include in the regulations. It was also determined that Ms. Portman would contact the MBC regarding someone to participate on the sub-committee. It was also determined that Ms. Freedman would draft language for possible review at the February meeting.

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

Ms. Tincher reported that the revisions to the Model Disciplinary Guidelines to include the Uniform Standards for Substance Abusing Licensees are currently being reviewed by legal. Ms Tincher stated that she anticipates that the amended version will be presented at the February 2013 meeting.

c. Consideration of Section 1399.536 of Title 16 of California Code of Regulations Relating to the Requirements for Preceptors in Physician Assistant Training Programs

Mr. Mitchell stated that a hearing had been conducted and that several 15-day comment periods had also been conducted. The regulation package is currently at the Department of Consumer Affairs for the Director's approval. The Director has 15 days to review, and upon the Director's review and approval, the package will be sent to the Office of Administrative Law for final review.

Mr. Mitchell also indicated that that no negative comments were received.

8. 9:00 AM – Regulatory Hearing
Proposal to Implement Assembly Bill 2699 Health Care Events – Requirements for Exemption, as required by Business and Professions Code Section 901

Chairman Sachs started the regulatory hearing at 9:00 am with a quorum present.

Oral testimony was received from Letitia Robinson, Research Consultant for the Medical Board of California (MBC) Ms. Robinson stated that the MBC sponsored free health care event regulations. Ms. Robinson stated that since the regulations have been adopted, no one has called.

Chairman Sachs stated that with no further comment the hearing was closed.

Following a brief discussion, a motion was made to delegate authority to the Department of Consumer Affairs to process the applications for sponsored free health care sponsored events.
(m/Klompus, s/Stumpf, motion passes)

A second motion was made to adopt the language as noticed and to delegate to the Committee's Executive Officer the authority to make any non-substantive or technical changes as maybe required by either Office of Administrative Law or the Department of Consumer Affairs.
(m/Klompus, s/Diaz, motion passes)

9. 9:15 AM – Oral Argument on Non-adopted Proposed Decision
Williams, Tommie L.

10:00 AM- CLOSED SESSION- Pursuant to Section 11126(c) (3) of the Government Code, the Committee moved into closed session to deliberate on disciplinary matters on the non-adopted Proposed Decision of Tommie L. Williams.

10:15 AM RETURN TO OPEN SESSION

10. 10:15 AM – Oral Argument on Non-adopted Proposed Decision Hearing
Baldwin, Melbourne Ray

11:00 AM CLOSED SESSION- Pursuant to Section 11126(c) (3) of the Government Code, the Committee moved into closed session to deliberate on disciplinary matters on the non-adopted Proposed Decision of Melbourne Ray Baldwin.

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

RETURN TO OPEN SESSION

13. **Report from Educational Subcommittee**

Committee member Steven Stumpf provided the Committee with a report regarding the physician assistant workforce shortage. Dr. Stumpf stated that the ARC-PA 2020 Master degree mandate policy will close three of nine California PA training programs that typically admit students from under-represented backgrounds.

Dr. Stumpf also stated that the need for many more PAs and primary care providers is already tremendous.

Dr. Stumpf also suggested that the Committee consider a viable strategic plan that would foster opening twelve new programs by 2017 to address this need.

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 2013.
(m/Stumpf, s/Schasa, motion passes)

A motion was made and seconded to approve the exam dates and locations as established by the NCCPA for 2013.
(m/Stumpf, s/Schasa, motion passes)

15. **Consideration of Legislation of Interest to the Physician Assistant Committee**
SB 1236 (Sunset), AB 137, AB 1904

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

16. **Reports**
a. Chairman Report

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

Chairman Sachs reported that he attended the California Academy of Physician Assistant (CAPA) annual conference conducted in October. Chairman Sachs stated that during the conference he presented a lecture on the California Laws

and Regulations for PAs. Chairman Sachs also indicated that he was able to staff the PAC booth during the conference.

Chairman Sachs also reported that he advised the PAs attending the conference that the Physician Assistant Committee would become the Physician Assistant Board effective January 1, 2013.

b. Executive Officer Report

Ms. Portman reported that the latest budget fund condition indicates that we have eight months in reserve, and are projected to have 8.5 in fiscal year 13/14.

Ms. Portman indicated that the Breeze Phase I implementation date has not yet been determined. Testing will continue for licensing and enforcement.

Ms. Portman stated that the new CME requirement will begin with those licensees whose licenses expire on January 31, 2013. Ms. Portman also indicated that those licensees with licenses expiring January 31, 2013 and after will need to report whether they met the new CME requirements of 50 CME every two years.

Ms. Portman stated that the Physician Assistant Committee name will change to Physician Assistant Board beginning January 1, 2013. Ms. Portman stated that staff has met with DCA's design team who are working on a new logo and signs.

Ms. Portman also reported that staff is working on a Newsletter and Julie Caldwell and Glenn Mitchell are in charge of getting articles and information for the first edition that should be ready by early 2013.

Ms. Portman announced that she will be retiring from state service in December, 2012. Ms. Portman thanked the Committee members and staff for their support during the past six years. Ms. Portman also indicated that Jeff Sears from the Department of Consumer Affairs (DCA) was present to provide information to the Committee regarding recruitment and the hiring process for a new Executive Officer.

Jeff Sears, Personnel Officer for the Department of Consumer Affairs indicated that the department was available to assist the Committee in its selection of a new Executive Officer. Mr. Sears indicated to the members that they have the authority to select the new Executive officer for the Committee.

Following a brief discussion it was agreed upon that a search committee consisting of Robert Sachs and Cristina Diaz would conduct the initial search for the new executive officer. It was also agreed that a committee meeting would be held in Sacramento on December 10, 2012 to include the appointment or the employment of an Executive Officer including the appointment or employment of an Interim Executive Officer.

Ms. Portman reported on the Committee's Accomplishments for 2012 which included approval of regulations to enhance consumer protection by allowing the

Executive Officer to accept default decisions and approve settlements for the surrender of a license, require an applicant to submit to a physical and/or mental examination if it appears reasonable that the applicant may be unable to perform as a PA safely due to impairments, webcasting committee meetings, development of a power point presentation for physician assistant students, and completion of the Committee's sunset report

c. Licensing Program Activity Report

Between July 1, 2012 and October 1, 2012, 256 licenses were issued. As of October 1, 2012, 8,816 licenses are renewed and current.

d. Diversion Program Activity Report

As of October 1, 2012, the Diversion Program had 22 total participants; 4 self-referred participants and 18 Committee referrals, for a total of 106 participants since program implementation in 1990.

e. Enforcement Program Activity Report

Between July 1, 2012 and September 30, 2012, 71 complaints were received; 86 complaints are pending; 43 investigations are pending; 45 probationers, and 22 cases awaiting administrative adjudication at the Office of the Attorney General.

17. Department of Consumer Affairs Director's Update

Ms. Everhart reminded members that the mandatory Board Member training will be conducted on November 7, 2012 in Sacramento.

Ms. Everhart also reported that every three months of Director of DCA hosts an Executive Officer/Chief meeting. Ms. Everhart indicated that the purpose of this meeting is to discuss current issues. Ms. Everhart stated that the next meeting is scheduled for November 15, 2012 and a summary of the meeting would be made available to all of the Chairman/Presidents of the Boards.

Ms. Everhart reported that the DCA is currently working on the Governor's re-organization plan that is scheduled to be implemented July 1, 2013.

18. Report on Sunset Bill SB 1236 - Report on Discussion and Consideration of Promoting Workforce Development

Ms. Anderson provided the Committee members with an overview of the California Health Care Workforce and the Physician Assistant profession. Ms. Anderson stated that there is a significant variance in the projected need based on geographic location and type of provider. Ms. Anderson also stated that there will be an increased number of people seeking care in California by the 2014.

Ms. Anderson also stated that there is a collaborative effort to increase the PA workforce. Some of the agencies involved are the California Workforce

Investment Board, the California Health Workforce Alliance, California Program on Access to Care and the Senate Health Workforce Stakeholder Group.

Ms. Anderson also stated that the barriers to increasing the PA workforce are rotation sites, ARC-PA expansion limits, ARC-PA accreditation language change and state budget constraints.

Ms. Anderson stated that recommendations for the efficient use of the current PA workforce are allowing PAs to supervise medical assistants across all medical settings, increase use of tele-health services and align state and federal definitions of primary care providers.

19. Agenda Items for Next Meeting

- a. Report on Budget Fund Condition
- b. Update from the Department of Consumer Affairs
- c. Report from the Educational Subcommittee
- d. Consideration of appointment or employment of an Executive Officer

Agenda Items for February 2012 Meeting

- a. Report from the Educational Subcommittee
- b. Update on new logos
- c. Report on Collection of workplace data
- d. Personal Presence
- e. How NCCPA arrives at passing scores

20. Adjournment

The meeting adjourned at 1:50 P.M.