

MINUTES

**UTAH
PHYSICIAN ASSISTANT
LICENSING BOARD MEETING**

March 9, 2015

**Room 474 – 4th Floor – 9:00 A.M.
Heber Wells Building
Salt Lake City, UT 84111**

CONVENED: 9:10 A.M.

ADJOURNED: 12:05 P.M.

**Bureau Manager:
Board Secretary:
Compliance Assistant:**

April Ellis
Lisa Martin
Debbie Harry

Board Members Present:

Jeffrey M. Coursey, PA-C, Chairperson
Lori G. Buhler
Shari Bloom, PA-C
Robert E. Ferguson, Jr. MD
Kyle Harmer, PA-C

Board Members Absent and Excused:

David Schmitz, MD
Robert C. Moesinger, MD

Guests:

Jennifer Reynolds, PA-IMC
Terry Jeffries
Deanne Williams, Intermountain Healthcare
Brad Pace, UAPA
Wendy Hussey
Amy Niederhäuser

TOPICS FOR DISCUSSION

ADMINISTRATIVE BUSINESS:

MINUTES:

The minutes from the December 15, 2014 meeting were read.

Ms. Bloom made a motion to approve the minutes as read. Ms. Buhler seconded the motion. The board vote was unanimous.

APPOINTMENTS:

9:10 A.M.

Debbie Harry, Compliance Update

Ms. Harry reported the following are in compliance or out of compliance with their Stipulations and Orders:

- Mr. Rayner is in compliance with his Stipulation and Order.
- Mr. Hussey is in compliance with his Stipulation and Order.
- Mr. Langi is in compliance with his Stipulation and Order.
- Mr. Norton is not in compliance with his Stipulation and Order.
- Mr. Niederhauser will be having his initial probationary interview today.

9:15 A.M.

Mr. Hansel Rayner, Probationary Interview

Mr. Coursey conducted the interview asking how Mr. Rayner is doing.

Mr. Rayner states he is maintaining professional language with patients.

Mr. Coursey asks Mr. Rayner about the amount of on-site supervision.

Mr. Rayner states with the exception of Thursdays, the supervisor is in the office with Mr. Rayner. Mr. Rayner has phone access to his supervisor on Thursdays.

Mr. Coursey asks Mr. Rayner how he is feeling about understanding his scope of practice.

Mr. Rayner states he is reading more information and participating in online courses recommended by his supervisor. Mr. Rayner is feeling more comfortable with his new practice.

Mr. Coursey asks if Mr. Rayner is seeing any pain management patients.

Mr. Rayner states he was given a few pain management patients, however, the clinic is in the process of referring pain management patients to different providers.

Mr. Coursey asks about a practice plan submitted to the board.

Mr. Rayner states his goal is to obtain a position that would require a shorter commute.

Mr. Coursey asks about the practice Mr. Rayner is considering.

Mr. Rayner states it is an ob/gyn clinic with Dr. Archer. Mr. Rayner acknowledges the clinic would be a change which will require a lot of learning.

Mr. Coursey asks if there is an established time for the change of employment.

Mr. Rayner states he has not given notice to his current employer and would like to make the change in May.

Mr. Coursey asks if Dr. Archer is aware of Mr. Rayner's probation and the requirements that are involved.

Mr. Rayner states Dr. Archer is aware and has received a copy of the stipulation.

Mr. Coursey states having his new supervisor only review 20% of charts is low because this is a new specialty practice for Mr. Rayner.

Mr. Rayner states the initial training would require more than 50% of charts to be reviewed by the supervisor. The 20% written in the practice plan is to comply with the stipulation.

Mr. Coursey states the board will need to meet with Dr. Archer prior to approving him as a supervisor.

An appointment was scheduled for Mr. Rayner to

meet with the board in June 2015.

9:35 A.M.

Mr. Kenneth Hussey, Probationary Interview

Mr. Harmer suggests changing the submitted controlled substance practice plan to include a plan for evaluation of new patients that require controlled substances. Mr. Harmer also suggests requiring an office appointment prior to refilling controlled substance prescriptions and a plan to review chronic pain patients.

Mr. Hussey states he will incorporate the suggested changes and send the new practice plan to the board.

Ms. Harry asks if the new practice plan will have to wait for approval at the June meeting.

Mr. Harmer states the practice plan can be reviewed via email.

Ms. Ellis states after the board approves the practice plan, Mr. Hussey can apply for the controlled substance license.

An appointment was scheduled for Mr. Hussey to meet with the board in June 2015.

9:55 A.M.

Mr. Kingi Langi, Probationary Interview

Mr. Harmer asks Mr. Langi about Dr. Jones and Dr. Kinikini listed as substitutes on the delegation of service agreement.

Mr. Langi states the purpose of the two additional substitutes is for back-up if the approved supervisor and substitutes are on vacation.

Mr. Harmer asks if Mr. Langi shares patients with either of the proposed substitutes.

Mr. Langi states he does not work at the same site or share patients with either substitute.

Mr. Coursey asks what Dr. Jones and Dr. Kinikini specialties are.

Mr. Langi states Dr. Jones specialty is pediatrics and

Dr. Kinikini is a psychiatrist.

Mr. Coursey asks if Dr. Ngatuvai and Dr. Young are in family practice.

Mr. Langi confirms both Dr. Ngatuvai and Dr. Young specialize in family practice.

Mr. Coursey states because Dr. Jones and Dr. Kinikini do not specialize in family practice, they are not appropriate substitutes.

Mr. Harmer states Mr. Langi will need to submit a practice plan with the approved supervisor that includes a billing procedure.

Mr. Coursey states the practice plan needs to be submitted within the next two weeks.

Mr. Langi confirms he will submit a new practice plan within the next two weeks.

An appointment was made for Mr. Langi to meet with the board in June 2015.

10:15 A.M.

Mr. Brady Norton, Probationary Interview

Dr. Ferguson conducted the interview stating the board has not received notification of employment, records review, practice plan, or registration with Affinity.

Mr. Norton states the reason he has not submitted any documents is because he is not currently working.

Ms. Harry states all reports and drug screens are required even when Mr. Norton is not working.

Mr. Norton states he has attended the Steps program, Renaissance Ranch. The Steps program performs random drug screens.

Ms. Harry states a monthly therapist report is required. The last report received was on December 15, 2014.

Dr. Ferguson asks Ms. Harry what reports Mr.

Ms. Bloom suggests Mr. Niederhauser checks his controlled substance database report on a regular basis to ensure there are no issues.

Mr. Niederhauser refers to the Professionals in Recovery meetings, asking if there is an option to meet with someone located closer to Tooele rather than attend in Salt Lake.

Ms. Harry states the meetings for professionals are extremely beneficial and there are multiple locations.

Mr. Coursey asks Mr. Niederhauser if he will continue to see the same therapist.

Mr. Niederhauser states he has been seeing a therapist in Tooele but is looking for a different provider.

Ms. Bloom states the delegation of service agreement refers to a substitute, however a substitute is not listed.

Mr. Niederhauser states he has not met the substitute; the substitute would only be when the supervisor is unavailable.

Mr. Coursey states the importance of having a relationship with the substitute and any substitute will need to be included on the delegation of service agreement.

Ms. Bloom clarifies Mr. Niederhauser will need to submit a notification of change that indicates Dr. Erikson is no longer the supervising physician and Dr. Parkinson is a substitute supervising physician.

Ms. Ellis states the stipulation prohibits Mr. Neiderhouser from supervising; however the practice plan states Mr. Niederhauser will supervise two medical assistances and one front office staff member.

Mr. Niederhauser states he was informed that the supervision regulations of his stipulation only included licensed persons.

Norton needs to submit each month.

Ms. Harry states a therapist report, employer report, supervisor report and chart reviews are due on the 28 of each month.

Dr. Ferguson asks if the drug screenings have to be done through Affinity.

Ms. Ellis states the board can approve any test location.

Dr. Ferguson informs Mr. Norton he will need to check in with Affinity daily even if he tests at a different location.

An appointment was made for Mr. Norton to meet with the board in June 2015.

10:35 A.M.

Mr. Curtis Niederhauser, Initial Probationary Interview

Ms. Bloom conducted the interview asking if Mr. Niederhauser is aware that the initial evaluation needs to be submitted to the board.

Mr. Niederhauser states he received the evaluation and submitted a copy to the board.

Ms. Bloom recommends Mr. Niederhauser have only one supervising physician.

Mr. Niederhauser states he will submit a notification of change to reflect only one supervising physician.

Mr. Coursey asks Mr. Niederhauser to describe the type of clinic he is working at.

Mr. Niederhauser states he works with patients at a urology clinic located in Tooele.

Ms. Bloom inquires about Mr. Niederhauser's controlled substance database report.

Mr. Niederhauser states there is a prescription on the report that he is unsure of and the others prescriptions are refills.

Dr. Ferguson asks if there are controlled substance samples available at the clinic.

Mr. Niederhauser states the only controlled substance sample on site is testosterone.

Mr. Coursey asks what Mr. Niederhauser's plan is to prevent a reoccurrence of negative behaviors.

Mr. Niederhauser states his plan includes: maintaining a high level of activity, connecting with a family support system, and attending 12 step meetings.

Ms. Bloom suggests that while Mr. Niederhauser looks for a new therapist, he should continue with his current provider to avoid a gap of care.

Mr. Niederhauser confirms he will continue to see his current therapist.

Ms. Bloom states the supervisor reports need to contain more details.

An appointment was made for Mr. Niederhauser to meet with the board in June 2015.

DISCUSSION ITEMS:

Delegation of Service Agreement

Ms. Williams states there is significant challenge with hospital based Physician Assistants maintaining a current Delegation of Service Agreements; particularly the requirement of controlled substance orders having co-signatures.

Ms. Williams presented an example of a Delegation of Service Agreement (DOSA) for approval.

Ms. Ellis asks if there will be a physician signature for all schedule II and III prescriptions.

Ms. Williams states there is a complete chart review each day which includes a physician signature for all orders.

Dr. Ferguson asks what the problem has been.

Ms. Williams states the compliance department is requesting a chart note be written by a physician at the time each order is placed.

Ms. Ellis asks what the board can do to help with the compliance department concerns.

Ms. Williams states the compliance department would be satisfied if the board approves the proposed Delegation of Service Agreement; which includes a daily chart review, rather than individual chart notes.

Dr. Ferguson asks when a physician assistant changes a medication order will a co-signature be required to complete the order.

Ms. Williams states a co-signature is not needed at the time the order is written, the co-signature would be required with the chart review.

Ms. Bloom states the practice of a daily chart review including a physician signature keeps the DOSA in compliance.

Mr. Pace states the goal of the proposed DOSA is to provide the best care for the patients without hindering the patient care process.

The board reached a consensus that the submitted DOSA appears to be within compliance of the Physician Assistant Practice Act.

Out of State Supervising Physicians

Ms. Ellis states an investigator has a case on a physician assistant with a supervising physician that is located on the east coast. There is not a current rule that addresses this situation.

Ms. Ellis states the board has the option of writing a rule to ensure the supervisor is within certain proximity to the physician assistant.

Dr. Ferguson inquires if there is a precedent in other states.

Ms. Ellis states she is unaware of other state regulations but will look into them.

Dr. Ferguson states the board would need to know if there is precedent in neighboring states and telehealth guidelines.

Mr. Coursey states research will need to be done prior to creating a rule.

CORRESPONDENCE:

NEXT MEETING SCHEDULED FOR: June 1, 2015

ADJOURN: 12:05 P.M.

Note: These minutes are not intended to be a verbatim transcript but are intended to record the significant features of the business conducted in this meeting. Discussed items are not necessarily shown in the chronological order they occurred.

Date Approved

5/18/15
Date Approved

Chairperson, Utah Physician Assistant Licensing Board

Bureau Manager, Division of Occupational & Professional Licensing