

MINUTES

**UTAH
PHYSICIAN ASSISTANT
LICENSING BOARD MEETING**

December 14, 2015

**Room 464 – 4th Floor – 9:00 A.M.
Heber Wells Building
Salt Lake City, UT 84111**

CONVENED: 9:34 A.M.

ADJOURNED: 12:40 P.M.

Bureau Manager:

Larry Marx

Board Secretary:

Lisa Martin

Compliance Assistant:

Debbie Harry

Board Members Present:

Jeffrey M. Coursey, PA-C, Chairperson

Lori G. Buhler

Shari Bloom, PA-C-via phone

Robert C. Moesinger, MD

David Schmitz, MD

Board Members Absent and Excused:

Robert E. Ferguson, Jr. MD

Kyle Harmer, PA-C

Guests:

Ray Walker, DOPL Regulatory & Compliance Officer

Amy Niederhouser

Jacob Forsyth

TOPICS FOR DISCUSSION

ADMINISTRATIVE BUSINESS:

MINUTES:

Dr. Moesinger made a motion to approve the September 14, 2015 minutes. Dr. Schmitz seconded the motion. The board vote was unanimous.

Elect Chairperson

This item was tabled as a quorum was not present.

APPOINTMENTS:

9:10 am

Debbie Harry, Compliance Update

- Ms. Harry states Mr. Neiderhouser submitted supervisor reports, however only one chart review was submitted; all other reports have been received.
- Ms. Harry states Mr. Hussey has submitted all required reports.
- Ms. Harry states Mr. Langi has not submitted the November reports.
- Ms. Harry states Mr. Norton has had a relapse and has entered a treatment program.
- Ms. Harry states Mr. Rayner has submitted all required reports.
- Ms. Harry states Ms. Glick has submitted an amended her practice plan and all required reports.
- Ms. Harry states Mr. White will have his initial meeting with the board.

9:15 am

Mr. Curtis Niederhouser, Probationary Interview

Mr. Coursey conducted the interview asking Mr. Niederhouser about reports being submitted late.

Mr. Niederhouser states he has been working at the same urology clinic for over a year and things are going well.

Mr. Marx asks if the court case has been resolved.

Mr. Niederhouser states at the time he was advised to take a plea in abeyance, he was later informed that Medicare disqualifies all plea in abeyance cases. Mr. Niederhouser states an appeal has been filed and resolved as a misdemeanor. Mr. Niederhouser requests a decrease of drug screens.

Mr. Coursey states that request would require a majority vote and a quorum is not present.

Mr. Niederhouser states he has been on probation for a year and requests the ability of obtaining his controlled substance license.

Mr. Coursey states Mr. Niederhouser has been with the same employer and has received positive reports. Mr. Coursey state a change in licensure would also require a quorum vote.

Ms. Buhler states that there are missing reports.

Ms. Harry clarifies the chart reviews have been received however they were late.

Mr. Niederhouser states he was unaware of the requirement until the phone conversation with Ms. Harry recently.

Mr. Marx states the division would like a constant six months of chart review being submitted on time prior to a change.

Ms. Buhler made a motion that Mr. Niederhouser have his controlled substance license be reinstated. Dr. Moesinger seconded the motion. The board vote was unanimous.

The board determined Mr. Niederhouser is in compliance with his Stipulation and Order.

An appointment was made for Mr. Niederhouser to meet with the board on March 14, 2016.

9:35 am

Mr. Kenneth Hussey, Telephonic Probationary Interview

Ms. Buhler conducted the interview how Mr. Hussey is doing.

Mr. Hussey states things are going well and there have been no changes.

Mr. Coursey asks about prescription practices that were discussed at the last meeting.

Mr. Hussey states he has not needed to implement the changes discussed.



PROVO
CANYON

BEHAVIORAL
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To whom this may concern:

Richard Shulze was a patient of mine at Provo Canyon Behavioral Hospital. He was admitted 11/01/15. He was receiving individual and group therapy and was working with a medical team to meet his needs and was released on 11/13/2015 when he was medically cleared. Please call the therapist if you have any questions.

Benjamin Jensen

Therapist, ICMHC
801.852.3858

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The board determined that Mr. Hussey is in compliance with his Stipulation and Order.

An appointment was scheduled for Mr. Hussey to meet telephonically with the board on March 14, 2016.

9:55 am

Mr. Kingi Langi, Probationary Interview

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

Mr. Langi states things are going well. Mr. Langi states he brought his supervisor report and chart reviews.

Mr. Coursey asks about Mr. Langi's relationship with his supervisor.

Mr. Langi states he meets with his supervisor once a week to review the charts and co-sign controlled substances.

Mr. Coursey asks about the ownership of the practice.

Mr. Langi states Dr. Naghtuvi owns the practice and he is listed as part of the practice.

Mr. Coursey asks about co-signatures controlled substance prescriptions.

Mr. Langi states he takes each controlled substance chart to the supervisor for review and signature. Mr. Langi states the supervisor also selects random charts for review.

Ms. Harry states when a quorum is present the board can discuss allowing Mr. Langi to change to quarterly reports.

Mr. Langi states it is required that he attend a PACE course, Mr. Langi states he is unable to pay for the course. Mr. Langi asks if there is an alternative option.

Mr. Marx states the concern would be that any

course taken would need to contain proper prescribing practices.

Mr. Coursey states the board understands financial challenges. Mr. Coursey suggest Mr. Langi research possible courses for the board to determine if they would qualify.

Mr. Marx states he will research some options as well.

Ms. Bloom states taking the required controlled substance continuing education course would be a good start.

The board determined Mr. Langi is in compliance with his Stipulation and Order.

An appointment was made for Mr. Langi to meet with the board on March 14, 2016.

10:15 am

Mr. Brady Norton, Probationary Interview

Dr. Schmitz conducted the interview asking how Mr. Norton is doing in the rehab program.

Mr. Norton introduces Jacob Forsyth the program manager. Mr. Norton states things are going well and has been in treatment for 33 days.

Dr. Schmitz clarifies that Mr. Norton is currently an inpatient treatment.

Mr. Norton states he started on November 10th and may be an inpatient for up to 60 days.

Dr. Schmitz states the important thing for Mr. Norton is to maintain his sobriety.

Dr. Schmitz states Mr. Norton needs to be more proactive about his probation requirements.

Ms. Harry states Mr. Norton has waited until right before the board meetings to submit reports to the division.

Mr. Norton states he was under the impression that all reports were being sent.

Ms. Harry states reports are being sent when she reaches out prior to meetings.

Ms. Buhler asks if Mr. Norton left the California treatment program early.

Mr. Norton states he stayed longer than initially signed up for. Mr. Norton states he left when he relapsed.

Mr. Marx asks if Mr. Norton participates in a twelve step program.

Mr. Norton states he attends a meeting every night.

The board states Mr. Norton is not in compliance with his stipulation and order.

An appointment was made for Mr. Norton to meet with the board on March 14, 2016.

10:35 am

Mr. Hansel Rayner, Probationary Interview

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

Mr. Rayner states the practice is going well. Mr. Rayner states working closely with the supervisor is very helpful for him.

Mr. Coursey asks how long Mr. Rayner has been with his current practice.

Mr. Rayner state he has been with the practice for seven months.

Mr. Coursey asks how prescription are handled.

Mr. Rayner states he writes a lot of the prescriptions, noting that when the supervisor is logged in the computer system he will type out her verbal prescription.

Mr. Coursey asks if Mr. Rayner sees patients without the supervisor.

Mr. Rayner states he doesn't have his own patients but he will do follow ups and simple appointments where the supervisor will co-sign and review the chart. Mr. Rayner states the board requested six months of good reports with Dr. Archer. Mr. Rayner states he is of the understanding this makes him eligible for early release from probation.

Dr. Moesinger reviews the minutes from the September meeting stating the discussion included the board would be agreeable to approving reports being submitted quarterly after showing consistency of employment.

Mr. Rayner states he has followed all requirements and recommendations of the board. Mr. Rayner states he has found a supportive supervisor.

The board determined the Mr. Rayner is in compliance with his Stipulation and Order.

An appointment was scheduled for Mr. Rayner to meet with the board on March 14, 2016.

10:55 am

Ms. Melissa Glick, Initial Probationary Interview

Mr. Coursey conducted the interview asking how Ms. Glick is doing.

Ms. Glick states things are going well and she enjoys the clinic she is working at.

Mr. Coursey asks if Ms. Glick has challenges.

Ms. Glick states her challenges are financial as she works part time. Ms. Glick states the prescribing policy with her supervisor is going well.

Mr. Coursey asks if Ms. Glick is attending meetings.

Ms. Glick states she attends four meetings a week including a Professionals in Recovery group.

Mr. Coursey states the division has received the requested updated practice plan as well as a

positive supervisor report.

Ms. Glick states that one of her random drug screens had an abnormal and asks if there is contact from the division when there is an abnormal result.

Ms. Harry states an abnormal is not considered a positive and unless it is a reoccurring issue then it would not have an effect.

The board states Ms. Glick is in compliance with his stipulation and order.

An appointment was made for Ms. Glick to meet with the board on March 14, 2016.

11:15 am

Mr. Steve White, Initial Probationary Interview

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

Mr. White states he had been doing great and then a trigger event created a bad weekend. Mr. White states he informed the division, his supervisor, and his sponsor know the situation as quick as possible. Mr. White states he is now connected with an addiction counselor and will be meeting with him twice a month in addition to his other meetings.

Mr. Coursey asks about Mr. White having started working.

Mr. White states it was his understanding that once the practice plan was created he was able to start working.

Mr. Harry states an email was sent on October 30 statin board approval is required prior to working.

Mr. White states he thought that was due to the specific potential employment; he then started at a different clinic.

Mr. Coursey asks where Mr. White is working.

Mr. White states integrated wellness clinic; a holistic medicine clinic that brought him on to help balance the clinic. Mr. White states he primarily does trigger

point injections. Mr. White states there are no controlled substances on the premises and no prescription pads at the clinic.

Mr. Coursey states Mr. White hasn't shown the board he is able to follow his stipulation and it is unfortunate.

Dr. Schultz asks if the supervisor sees the patients that receive the injections from Mr. White.

Mr. White states he is not aware if the supervisor does see any of the patients.

Ms. Bloom asks if Dr. Erickson has experience in pain management.

Mr. White states Dr. Erickson's focus is pain management and pain addiction.

Ms. Bloom asks what practice Mr. White was with prior to surrendering his license.

Mr. White states he was with family practice and did joint injections.

Mr. Shultz clarifies that the only therapy Mr. White is performing is trigger injections.

Mr. White with patient of osteo-arthritis of the knee he also provides hyaluronic acid injections.

Dr. Shultz asks if the supervisor has experience with this type of injection.

Mr. White states he is unaware of Dr. Erickson's experience with hyaluronic acid injections.

Dr. Shultz states if the supervisor does not have knowledge of the scope of practice it is not within his ability to supervise someone that is performing the treatment.

Mr. Coursey states these specifics should be in the delegation of service agreement.

Mr. White states he may have lost some of these details while searching for employment.

Dr. Shultz states this is not the clinic setting the board would like to see Mr. White in. The board would like to have Mr. White working more closely with the supervisor.

Mr. Coursey states this conversation should ideally happen prior to Mr. White beginning work so that concerns could be addressed.

Mr. White states he believed the practice plan has been approved and the supervisor felt it is a low risk practice that is would be a good opportunity for Mr. White.

Mr. Marx states the practice plan has not been approved.

Mr. Walker asks what the stipulation includes concerning the supervisor.

Ms. Harry states respondent shall practice only under the supervision of a division and board pre-approved supervisor.

Mr. Coursey asks what the process is when a patient has issues beyond Mr. White's scope.

Mr. White states the patient is referred out to the primary care provider.

The board contacted Mr. White's supervisor Dr. Erickson by phone.

Mr. Coursey asks Dr. Erickson if he provides the same services to the patients that Mr. White provides.

Dr. Erickson states Mr. White is employed through a chiropractic office which is a separate entity and Dr. Erickson oversees what Mr. White is doing at that clinic.

Dr. Schmitz asks if in Dr. Erickson's office trigger

point injections and joint injections including hyaluronic acid injections.

Dr. Erickson states he does not provide trigger point injections or hyaluronic acid injections in his office. Dr. Erickson confirms he does have experience with joint injection.

Dr. Schmitz asks what the procedure is if there are side effects at Mr. White's location.

Dr. Erickson states there is not a procedure in place however he could establish a plan. Dr. Erickson states it is his understanding is that it is a low risk treatment.

Dr. Schmitz asks if Dr. Erickson understands he is liable for every procedure Mr. White performs.

Dr. Erickson states he was unaware and he will want to speak with the clinic for more detail of the services offered.

Mr. Coursey asks if Dr. Erickson discussed with Mr. White the role of supervisor.

Dr. Erickson states they did have a conversation and reviewed the stipulation. Dr. Erickson states they meet on a weekly basis and review charts.

Mr. Coursey asks if they agreed trigger point, hyaluronic acid and joint injections would the extent of services offered by Mr. White.

Dr. Erickson states to his understanding that is all Mr. White does at the clinic.

Mr. Coursey states if Dr. Erickson is not doing hyaluronic acid injections then Mr. White should not either.

Mr. Marx states if Mr. White would like decisions made he would have to waive the requirement of a quorum as a quorum is not present at this time.

Mr. White states he would like to waive the requirement.

Dr. Schmitz states he is not happy with the setup of the supervisor not being at the same location however there is nothing that states they have to be at the same location.

Mr. Coursey states he agrees and Dr. Erickson seems to be an appropriate supervisor that wants to provide appropriate supervision.

Dr. Schmitz made a motion to approve Dr. Erickson as supervisor. Ms. Buhler seconded the motion. The vote was unanimous.

Dr. Schmitz made a motion to approve the practice plan with the exclusion of hyaluronic acid injection. Ms. Buhler seconded the motion. The vote was unanimous.

Ms. Harry states a notification of change has not been received.

Mr. Marx recommends Mr. White reread the stipulation and the physician assistant statues to ensure complete compliance.

An appointment was made for Mr. White to meet with the board on March 14, 2016.

DISCUSSION ITEMS:

Board Training

Mr. Marx states the board has a handout concerning the open meetings act and making motions. Mr. Marx states at the next meeting there will be time set aside for board member training.

CORRESPONDENCE:

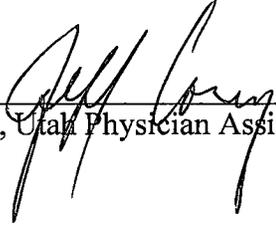
NEXT MEETING SCHEDULED FOR: March 14, 2016

ADJOURN: 12:40 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

Chairperson, Utah Physician Assistant Licensing Board



2/3/16
Date Approved

Bureau Manager, Division of Occupational & Professional Licensing

