

**NEW JERSEY BOARD OF MEDICAL EXAMINERS
PHYSICIAN ASSISTANT ADVISORY COMMITTEE
HUDSON CONFERENCE ROOM**

PUBLIC SESSION MINUTES

AUGUST 20, 2010

FINAL

The August meeting of the Physician Assistant Advisory Committee was convened in accordance with its notice to the Secretary of State, the Bergen Record, the Trenton Times, the Star Ledger and the Courier Post and was conducted in accordance with the provisions of the Public Meeting Act. Chairman Argast called the meeting to order at 9:00 A.M. A roll call was taken and the following attendance was recorded for these minutes.

PRESENT: George Argast
Claire O'Connell
Jeffrey Maas

ABSENT: Dr. Jeffrey Berman
Todd Newman

Also in attendance: Dorcas K. O'Neal, Executive Director, Debra Levine, Deputy Attorney General and Kathleen Griffith, Staff.

I. APPROVAL OF MINUTES

a. The Committee reviewed the Public Session Minutes for July 16, 2010. **On a motion by Jeffrey Maas, seconded by Claire O'Connell, the Minutes were unanimously approved as redacted.**

II. OLD BUSINESS

a. The Committee reviewed as informational the e-mail from Maryann Sheehan , Regulatory Analyst, advising that the proposal to increase the ratio for physician assistants has been approved and will appear in the New Jersey Register for comment.

III. NEW BUSINESS

a. An e-mail from **Elizabeth Bumber, PA-C**, inquiring as to whether there is a sample of a practice agreement or delegation of services agreement that is commonly used in the State of New Jersey.

The Committee recommended that Ms. Bumber contact the New Jersey State Society of Physician Assistants (NJSSPA). **Ms. Bumber will be so advised.**

b. An e-mail from **Diane Daw, PAC**, inquiring as to whether there are any regulations which would preclude her from being credentialed to cover psychiatric services under her supervising physician supervision.

The Committee determined that Ms. Daw may cover psychiatric services under her supervising physician supervision, **pursuant to N.J.A.C. 13:35-2.B4.(b) which states that a licensee who has complied with the provisions of N.J.A.C. 13:35-2B.3 may perform the procedures listed in N.J.A.C. 13:35-2B.4(b)1-6, provided the procedures are within the training and experience of both the supervising physician and the physician assistant, only when the supervising physician directs the licensee to perform the procedures or orders or prescribes the procedures, or the procedures are specified in a written protocol approved by the Board.** **Ms. Daw will so advised.**

c. An e-mail from **Michael Fama, PA-C**, inquiring as to whether a physician assistant licensed in the State of New Jersey has the ability to become an investor in a professional corporation in an Emergency Department setting and if so, whether there are any specifics that apply and whether a physician assistant has to be a minority stakeholder.

The Committee determined that Mr. Fama seek legal counsel and refer counsel to N.J.A.C. 13:35-6:16 and 17, Professional Practice Structure. **Mr. Fama will be so advised.**

d. An email from **Avital Tsymbal, PA-C**, inquiring as to whether physician assistants are allowed to operate Class IV lasers and IPL equipment for hair removal and skin rejuvenation procedures in medical spas; whether physician assistants and medical doctors can enter into partnership to operate a medical spa and whether physician assistants can own a majority of voting rights. Finally, whether a spouse of a physician assistant can own a medical spa and employ his wife, (physician assistant) and a medical doctor.

It was the consensus of the Committee to provide a copy of the Board of Medical Examiners Policy Statement as it relates to botox, laser and microdermabrasion/glycolic acid peels and to recommend that querist seek counsel and refer counsel to N.J.A.C. 13:35-6.16 and 17, Professional Practice Structure.

e. A fax from **James C. Wonnacott, Chief Administrative Officer, the Dermatology Group**, petitioning the Committee to approve a fourth physician assistant for a three partner practice. **On a motion by Claire O'Connell, seconded by Jeffrey Maas, the Committee unanimously approved the additional physician assistant.**

f. A letter from Dr. Robert A. Kayal inquiring as to whether shadowing is allowed in New Jersey.

The Committee determined that a letter be sent to Dr. Kayal advising that the letter he submitted dated July 15, 2010 is different from the conversation he had on the phone with the Executive Director. Therefore, in response to his inquiry, a physician must be in a formal academic training program in order to observe/shadow.

IV. REVIEW OF BOARD OF MEDICAL EXAMINERS MINUTES AND AGENDA

a. The Committee reviewed the **Ratified Open Board Minutes for June 9, 2010 of the Board of Medical Examiners, as informational.**

b. The Committee reviewed the **Ratified Open Board Minutes Disciplinary-Matters for June 9, 2010 of the Board of Medical Examiners, as informational.**

c. The Committee reviewed the **Ratified Open Board Agenda for August 11, 2010 of the Board of Medical Examiners, as informational.**

d. The Committee reviewed the **Ratified Open Board Agenda Disciplinary-Matters for August 11, 2010 of the Board of Medical Examiners, as informational.**

V. REVENUE REPORT

a. The Committee reviewed the Revenue Report for **July, 2010, as informational.**

VI. LEGISLATION/REGULATION

a. The Committee reviewed **ASSEMBLY BILL NO: 2672** from the Physician Assistant Advisory Committee Second Quarter April 1, 2010 to June 30, 2010 Assembly and Senate Bills, which requires health care professionals to notify patients of end of health benefits coverage during course of treatment in certain circumstances. The Committee believes this is a burden on healthcare professionals, however, **the Committee concurs with the position taken by the Board of Medical Examiners.**

The Committee reviewed **Assembly Bill No: 2801, Assembly Bill No: 3107, Senate Bill No: 89 and Senate Bill No: 2072**, from the Physician Assistant Advisory Committee Second Quarter April 1, 2010 to June 30, 2010 Assembly and Senate Bills. **The Committee concurs with the position taken by the Board of Medical Examiners.**

There being no other business to come before the Committee in Public Session on a motion by Jeffrey Mass, seconded by Claire O'Connell, the Public Session was adjourned and the Committee convened in Executive Session for the purpose of receiving counsel, to conduct two (2) investigative inquiries, to review three (3) items of old business, six (6) items of new business and six (6) applications.

The Committee reconvened in Public Session. The next meeting is September 17, 2010. There being no other business to come before the Committee in Public Session, on a motion by Jeffrey Maas, seconded by Claire O'Connell, the Public Session was adjourned at 12:00 noon .

Respectfully submitted,
Physician Assistant Advisory Committee

Dorcas K. O'Neal
Executive Director