

**NEW JERSEY BOARD OF MEDICAL EXAMINERS
PHYSICIAN ASSISTANT ADVISORY COMMITTEE
HUDSON CONFERENCE ROOM, 6TH FLOOR**

PUBLIC SESSION MINUTES

SEPTEMBER 16, 2011

FINAL

The September 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.

Claire O'Connell called the meeting to order at 9:00 A.M. A roll was taken and the following attendance was recorded for these minutes.

PRESENT: Claire O'Connell
Jeffrey Maas
Dr. Jeffrey Berman

EXCUSED: Todd Newman
George Argast

Also in attendance: Dorcas 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 of July 22, 2011. **On a motion by Claire O'Connell, seconded by Dr. Jeffrey Berman, the Minutes are deferred subject to ratification by the full Committee at its next scheduled meeting. REAGENDIZED**

II. OLD BUSINESS

a. The Committee reviewed an e-mail from **Vivian Do, Regulatory Compliance Associate at Dispensing Solutions, Inc., Orange County, California**. The Committee wanted to know what Ms. Do has in mind when she asks about physician assistants dispensing. Querist clarified what she seeks regarding the prescriptive authority of physician assistant.

The Committee had no further commentary and determined that Ms. Do be referred to the regulations which govern the practice of physician assistants in the State of New Jersey.

III. NEW BUSINESS

a. The Committee reviewed a fax from **Albert Thrower, M.D.**, inquiring as to whether provisions at **N.J.A.C. 13:35-2B. 4, section (b), paragraph 6, cover orthopedic procedures.**

The Committee determined that this arrangement is only in compliance with regulations if the supervising physician is assured that the physician assistant is properly trained, pursuant to ***N.J.A.C. 13:35-2B.4 (b) Scope of Practice*** *A licensee who has complied with the provisions of N.J.A.C 13:35-2B.3 may perform the following procedures, 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.*

Further, pursuant to N.J.A.C. 13:35-2B.10 (a) and (b) 1 and 2 Supervision *A physician assistant shall engage in practice only under the direct supervision of a physician.*

(b) The physician assistant shall not render care unless the following conditions are met:

1. In an inpatient setting, the supervising physician or physician designee is continuously or intermittently present on-site with constant availability through electronic communications for consultation or recall;

2. In an outpatient setting, the supervising physician or physician-designee is constantly available through electronic communications for consultation or recall.

Finally, the supervising physician is responsible for the care rendered by the physician assistant. **Dr. Thrower will be so advised.**

b. The Committee reviewed a letter from **Maria C, Cambria**, physician assistant, advising that she is interested in working as a surgical assistant and would have many supervising physicians for example Orthopedic Surgeon, Vascular or Gynecologic Surgeon and inquiring as to the proper manner for completing the Supervision/Employment form.

The Committee determined that a physician assistant shall engage in practice only under the direct supervising of a physician **pursuant to N.J.A.C. 13:35-2B10**; that a physician assistant may have one supervising physician and that, that supervising physician may assign a physician assistant under his/her supervision to a physician designee who shall be responsible for the practice of the physician assistant during the assignment, **pursuant to N.J.A.C. 13:35-2B.10 (d). Ms. Cambria will be so advised.**

c. The Committee reviewed a fax from **William Koustas, of Hyman, Phelps and McNamara, P.C., law firm** inquiring as to whether physician assistants are permitted to order prescription products (such as dermal filler or prescription sclerosing agent) from the company marketing the product and whether physician assistants are permitted to administer these products to patients and if they can, are they permitted to administer without the direct supervision of a physician.

The Committee determined that this inquiry be referred to the Board of Medical Examiners. A letter will be sent to Mr. Koustas advising that this matter has been referred to the Board of Medical Examiners.

d. The Committee reviewed a fax from **Toledo Ayers, Credentialing Coordinator, Reconstructive Surgery**, inquiring as to whether the Verification of Supervision/Employment for expires. The **Verification of Supervision/Employment Form** does not expire. As to the ratios, effective July 5, 2011, **pursuant to N.J.A.C. 13:35-2B.10 (b) 5. The supervisory ratio shall be no more than four physician assistants to one physician at any one time. Ms. Ayers will be so advised.**

e. The Committee reviewed a fax from **Sarah Gelfand**, physician assistant, inquiring as to whether a physician assistant is required to have a a current DEA registration number to write prescriptions for non controlled dangerous substance or whether a NPI number is sufficient.

The Committee determined that a letter be sent to Ms. Gelfand advising that a DEA registration is required for writing prescriptions for controlled dangerous substances. (CDS).

f. ELECTION OF OFFICERS. REAGENDIZED

IV. LEGISLATION/REGULATION

a. LEGISLATIVE AFFAIRS - Report to the Physician Assistant Advisory

Committee Second Quarter April 1, 2011 - June 30, 2011. The following bills were reviewed and accepted as informational.

ASSEMBLY BILL A3475 Acs (ACS) “Physician Orders for Life-Sustaining Treatment” forms and requires physicians and advanced practice nurses to pursue continuing education in end-of-life care. (Substituted by S-2197) SCS/IR).

ASSEMBLY BILL A4245 - Permits removal of State board, commission or independent authority member for failure to attend three consecutive meetings thereof without good cause.

SENATE BILL S1531 - Authorizes waiver of license revocation process for certain child support obligors.

SENATE BILL S2197 ScsSa (SCS/1R) - “Physician Orders for Life-Sustaining Treatment” forms and requires physicians and advanced practice nurses to pursue continuing education in end-of-life care.

b. ASSEMBLY BILL A4185 - This bill requires certain health care professionals, while working in an office, to disclose to patients their name, type of license and highest level of academic degree either in a prominent display in their office or in writing to a patient on that patient’s first office visit.

This bill also requires a person licensed to practice medicine or surgery by the State Board of Medical Examiners who is certified in a medical specialty to disclose, while working in an office, the name of the certifying board or association.

The Committee concurs with the position taken by the Board of Medical Examiners.

c. The Committee reviewed as informational, the **State Board of Medical Examiners, Physician Assistant Advisory Committee Scope of Practice; Supervision, Adopted Amendment: N.J.A.C. 13:35-2B.10**, effective July 5, 2011, published in the New Jersey Register.

There being no other business to come before the Committee in Public Session, on a motion by Jeffrey Maas, seconded by Dr. Jeffrey Berman, 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, four (4) items of new business and thirteen (13) applications.

The committee reconvened in Public Session. The next scheduled meeting is October 21, 2011. There being no other business to come before the Committee, on a motion by Dr. Jeffrey Berman. Seconded by Jeffrey Maas, the meeting was adjourned at 12:30 P.M.

Respectfully submitted,
Physician Assistant Advisory Committee

Dorcas K. O'Neal
Executive Director