

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

PUBLIC SESSION MINUTES

SEPTEMBER 21, 2012

FINAL

The September meeting of the Physician Assistant Advisory Committee was convened in accordance with its notice to the Lt. Governor, 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.

President Argast convened the meeting at 9:00 A.M. A roll call was taken and the following attendance was recorded for these minutes:

PRESENT: George Argast Todd Newman
 Dr. Jeffrey Berman Claire O'Connell
 Jeffrey Maas

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 20, 2012. **On a motion by Claire O'Connell, seconded by Jeffrey Maas, the Minutes were unanimously approved as submitted.**

II. OLD BUSINESS

There were no items of old business.

III. NEW BUSINESS

a. The Committee reviewed the letter from **Jonathan S. Erman, Esq., of Amabile**

& Erman, P.C., who represents a dermatologist practicing in New Jersey, inquiring as to
2 of 4

whether physician assistants in New Jersey can advertise directly to patients. He provided one such advertisement.

Based on the limited facts presented, the Committee directed that a letter be sent to Attorney Erman, advising that it is not clear if a physician owns the practice, however, it is the physician's responsibility to advertise **pursuant to N.J.A.C. 13:35 6-10, Advertising and Solicitation Practices**. Finally, **pursuant to N.J.S.A. 45:9-27.15** a physician assistant is not an independent practitioner and must work under the direct supervision of a physician in the State of New Jersey.

b. The Committee reviewed as informational a memo from Alison Gibson, Acting Assistant Commissioner, to all Licensed and/or Certified Health Care Facility Administrators under the Department of Health regarding the use of cell phones or cameras for video or photography of patients, residents or participants.

c. The Committee reviewed as informational a memo from David M. Puteska, Acting Director, Division of Consumer Affairs, to all Executive Directors/Team Leaders for Health Care Boards and Committees, regarding the inappropriate filming of patients/residents in Health Care Facilities.

d. The Committee reviewed the Proposed Meeting Dates For 2013. **On a motion by Jeffrey Maas, seconded by Claire O'Connell, the proposed meeting dates were unanimously approved as submitted.**

e. The Committee reviewed a fax from **Summer Bardia, PA-C**, inquiring as to whether a retired physician can serve as a supervising physician; whether a physician who has been trained in trigger point injections but does not utilize it, can supervise a physician assistant who performs trigger point injections and whether physician assistants can write for DME's.

The Committee determined that a letter be sent to Ms. **Bardia** advising that **pursuant to N.J.A.C. 13:35-2B.4(b)** A licensee who has complied with the **provisions of N.J.A.C. 13:35-2B.3 Practice Requirements** 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. As to prescriptive authority. A physician assistant may issue prescriptions for medications only in accordance with the requirements contained in **N.J.A.C. 13:35-2B.12 Requirements for issuing prescriptions for medications; special requirements for issuance of CDS.**

Physician Assistant Advisory Committee
Public Session Minutes
September 21, 2012-p.2.

f. A fax from **Lori D’Andrea, PA-C, Pain Medicine Physicians** inquiring as to whether physician assistants in the State of New Jersey can perform EMG/NCV testing.

The Committee determined that a letter be sent to Ms. D’Andrea advising that she should seek legal counsel. Also, a copy of the document from the Appellate Division of the Superior Court of New Jersey will be enclosed, as it prohibits physician assistants from performing EMG.

IV. REVIEW OF BOARD OF MEDICAL EXAMINERS MINUTES AND AGENDA

a. The Committee reviewed the **Open Board Agenda Disciplinary-Matters for May 9, 2012 of the Board of Medical Examiners, as informational.**

b. The Committee reviewed the **Open Board Agenda Disciplinary Matters for June 13, 2012 of the Board of Medical Examiners, as informational.**

c. The Committee reviewed **Open Board Agenda for July 11, 2012 of the Board of Medical Examiners, as informational.**

d. The Committee reviewed the **Open Board Agenda Disciplinary-Matters for July 11, 2012 of the Board of Medical Examiners, as informational.**

e. The Committee reviewed the **Ratified Open Board Minutes Disciplinary-Matters for April 11, 2012 of the Board of Medical Examiners, as informational.**

f. The Committee reviewed the **Ratified Open Board Minutes for May 9, 2012 of the Board of Medical Examiners, as informational.**

g. The Committee reviewed the **Ratified Open Board Minutes Disciplinary-Matters for May 9, 2012 of the Board of Medical Examiners, as informational.**

h. The Committee reviewed the **Ratified Open Board Minutes for June 13, 2012 of the Board of Medical Examiners, as informational.**

i. The Committee reviewed the **Ratified Open Board Minutes Disciplinary-Matters for June 13, 2012 of the Board of Medical Examiners, as informational.**

j. The Committee reviewed the **Open Board Agenda for September 12, 2012 of the Board of Medical Examiners, as informational.**

k. The Committee reviewed the **Open Board Agenda Disciplinary Matters for September 12, 2012 of the Board of Medical Examiners, as informational.**

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 and the Committee convened in Executive Session for the purpose of receiving counsel, to conduct one investigative inquiry, to review eight (8) items of old business, one (1) item of new business and five applications.

The Committee reconvened in Public Session. The next scheduled meeting is October 19, 2012. There being no other business to come before the Committee, on a motion by Dr. Jeffrey Berman, seconded by Claire O'Connell, the meeting was adjourned at 11:30 A.M.

Respectfully submitted,
Physician Assistant Advisory Committee

Dorcas K. O'Neal
Executive Director