NEW JERSEY BOARD OF MEDICAL EXAMINERS
PHYSICIAN ASSISTANT ADVISORY COMMITTEE
HUDSON CONFERENCE ROOM, 6TH FLOOR
PUBLIC SESSION MINUTES
OCTOBER 21, 2005

Final

The October meeting of the Physician Assistant Advisory Committee meeting was convened in accordance with its notice to the Secretary of State, Bergen Record, Trenton Times, Star Ledger and the Courier Post and was conducted in accordance with the provisions of the Open Meeting Act.

President 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
Dr. Mary Ibrahim
Todd Newman
Jeffrey Maas
Claire O'Connell

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 September 16, 2005. On a motion made and seconded, the Public Session Minutes were unanimously approved as submitted.

b. The Committee reviewed the Public Session Minutes for September 3016, 2005. On a motion made and seconded, the Public Session Minutes were unanimously approved as submitted.

II. OLD BUSINESS

a. The Committee reviewed the response to regarding the role of physician assistants in the Neonatial Intensive Care Nursery Unit from Lawrence M. Skolnick, MD., M.P.H., Midatlantic Neonatiology Associates, PA., requesting clarification of the regulations and the role of physician assistants in the Neonatal Intensive Care Nursery and a letter from Pauline Papapietro, PA-C, inquired as to whether the Physician Assistant Advisory Committee could assist in changing the regulations of the Department of Health (DOH) as it relates to including physician assistants as practitioners to cover the Neonatal Intensive Care Unit (NICU).

The response from the Department of Health determined that pursuant to N.J.A.C. 8:43G-19.18(f) of New Jersey's Hospital Licensing Standards, "The neonatal intensive care nursery in CPC-Intensive and Regional Perinatal Centers shall be covered at all times by a neonatal fellow or a Board eligible or certified pediatrician with training and experience in neonatal medicine, or a certified neonatal or pediatric nurse practitioner who is present in the hospital." It further stated that the Joint Commission on Accreditation of Healthcare Organization(JCAHO) flagged the situation at Overlook pursuant to N.J.A.C. 8:43G-19.18(f).

Finally, while the licensing standards permit physician assistants to function without the on-site presence of a physician, the Department does not believe this practice is appropriate in a high-risk nursery. The physician assistants may continue to work in NICUs when a neonatolgist, neonatal fellow, or neonatal nurse practitioner(NNP) is present in house. Dr. Skolnick and Ms. Papapietro will be so advised.

III. NEW BUSINESS

a. The Committee reviewed a fax from Cynthia DeLane, CEBS, inquiring as to whether there are any restrictions or guidelines on hours worked for a physician assistant.

The Committee determined that based upon the limited facts presented, the statutes and regulations which govern physician assistants in the State of New Jersey do not address the amount of hours a physician assistant can work. Supervisory relationship in the physician and physician assistant environment should not be unreasonable. This can cause fatigue and affect quality of care to patients. A letter will be sent to Ms. DeLane so advising.

b. The Committee reviewed a fax from Lauren F. Lucas, PA-C, inquiring \ 1) as to whether a physician assistant can manage new patients without the physician on site, but available through telephone communication.

2) as to whether physician assistants can manage patients without the patient ever meeting the physician or is there a limit to the number of visits a patient can see physician assistant before the doctor has to see the patients(that is, does the physician need to see the patients once every 3 visits or so.).

3) as to whether physician assistants can perform the following procedures in the State of New Jersey if the supervising physician is in the practice of dermatology and if it is within his scope of practice including: laser hair reduction treatment with 1064 laser; laser vein reduction treatment with 1064 laser; laser facial skin resurfacing with Urbium 1319 laser (microlaser peel); laser skin rejevenation with 1319 Urbium laser; laser scar removal; multiple layer skin closure; Botox, Radiesse, Restalyne treatment.

The Committee is concerned by the implication which does not fulfill the requirements of supervision which requires the review, approval consent and signing of physician assistant notes.

The Committee determined that as to question 1), based on the limited facts presented, pursuant to N.J.A.C. 13:35-2B.10 (b) Supervision. A physician assistant shall not render care unless the following conditions are met:

1. In an inpatient setting, the supervising physician 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;

As to question 2), the practice should not be an independent practice of the physician assistant. The statutes and regulations which govern the practice of physician assistants will be enclosed and the physician assistant must comply with the law.

As to question 3), the Committee determined that based on the limited facts presented, consistent with the determination made by the Board of Medical Examiners, physician assistants may not perform laser treatments as these procedures are deemed the practice of medicine and may not be delegated to a nurse, or any other licensed healthcare professional other than a "physician". However, please be advised that the Board is further investigating this latter issue and obtaining opinions for appropriate expert professionals. If the Board promulgates a regulation in this regard in the future it will be noticed in the New Jersey Register.

As to question 4), the Committee directed staff to verify that there are verification of supervision employment forms on file for Dr. William Ziegler and Dr. Babar Rao. This was confirmed.

Ms. Lucas will be so advised along with a copy of the statutes and regulations which govern the practice of physician assistants in the State of New Jersey. A letter will be sent to Ms. DeLane so advising.

c. The Committee reviewed an e-mail from Dr. Christopher Catalano, inquiring as to whether a physician assistant can perform needle electrode electromyography in the State of New Jersey.

The Committee determined that based on the limited facts presented, pursuant to N.J.A.C. 13:35-2B.2 Definitions "Direct supervision" means supervision by a plenary licensed physician which shall meet all of the conditions established in N.J.A.C. 13:35-2B.10(b) or N.J.A.C. 13:35-2B.15, as applicable. A physician assistant may perform services under the supervision of a licensed plenary physician.

Additionally, physician assistants can only perform duties pursuant to N.J.A.C 13:35-2B.4(b), Scope of Practice, which states a licensee who has complied with the provisions of N.J.A.C. 13:35-2B.3, Practice Requirements, may perform . . . the procedures (which) 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.4(6), Performing other procedures for diagnostic, therapeutic or interventional purposes such as, but not limited to, introduction of contrast material for radiologic studies, use of endoscopic instruments and aspiration of fluid from joints and body cavities, collection of cerebrospinal fluid, biopsy of tissues, placement of central venous catheters or chest tubes, and endotracheal intubation. A letter will be sent to Dr. Catalano so advising.

d. A fax from Rita Kulikowski, Credential Specialist, Health Net, Inc., inquiring as to whether when an applicant takes the exam to be licensed, does the Committee accepts the verification from the institution as evidence or whether the Committee actually calls the institution for verification and whether the Committee can clarify its requirements.

The Committee determined that written verifications are required by the State of New Jersey. A letter will be sent to Ms. Kulikowski so advising.

e. The Committee reviewed the proposed meetings dates for the year 2006. The Committee unanimously approved the meeting dates for the year 2006.

f. The Committee reviewed the letter from Edward Dreskin, Esq., of Dreskin and Dreskin, P. C., Counselors at Law inquiring as to whether a physician assistant licensed in the State of New Jersey can legally perform EMG Testing that is prescribed by and under the supervision of a licensed physician.

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IV. REVIEW OF BOARD OF MEDICAL EXAMINERS MINUTES AND AGENDA

a. The Committee reviewed the Open Board Minutes of the Board of Medical Examiners for July 13, 2005, as informational.

b. The Committee reviewed the Open Board Minutes Disciplinary-Matters of the Board of Medical Examiners

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c. The Committee reviewed the Open Board Minutes of the Board of Medical Examiners for August 10, 2005, as informational.

d. The Committee reviewed the Open Board Minutes Disciplinary-Matters of the Board of Medical Examiners for August 10, 2005, as informational.

e. The Committee reviewed the Open Board Agenda of the Board of Medical Examiners for October 19, 2005, as informational.

f. The Committee reviewed the Open Board Agenda Disciplinary-Matters for October 19, 2005, as informational.

V. LICENSURE ACTION

a. The Committee reviewed the Summary Report for Licensure Action taken from September 10, 2005 to October 13, 2005, as informational.

VI. LEGISLATION/REGULATION

a. N. J. A. C. 13:35-2B.12 (FINAL DRAFT) - Requirements for issuing prescriptions for medications; memorailaization of verbal orders for CDS presented by Danielle Swenson, Regulatory Analyst. Ms. Swenson will prepare the prefatory language for Draft Four and forward to DAG Levine to be presented to the Board of Medical Examiners for review before publication in the New Jersey Register. A final copy will be presented at the November 18, 2005 meeting.

VII. OTHER BUSINES/FOR YOUR INFORMATION (FYI)

a. The Committee reviewed the Invitation from Wyckoff Heights Medical Center- 60th Harvest Moon Ball, as informational.

There being no other business to come before the Committee in Public Session the Committee convened in Executive Session for the purpose of receiving counsel, to review one statistical report, two items of old business, five items of new business and to review 16 applications.

The Committee reconvened in Public Session. The following licensure action was taken.

APPLICATION REVIEW

The Committee certifies that the following persons have applied for licensure; that each application has been reviewed in detail; that all statutory requirements have been met; and that the applications have been approved by the Committee for licensure.

APPROVED (PERMANENT)

Ceesay, Kitabu
Fernandes, Elisabete
Hartigan, Craig

The Committee certifies that these persons have applied for temporary licensure; that each application has been reviewed in detail; that all statutory requirements have been met, with the exception of the passing of the National Commission on Certification of Physician Assistants (NCCPA) examination; that the Committee recommends each applicant for temporary license with a permanent license to issue only upon successful completion of the National Commission on Certification of Physician Assistants (NCCPA) examination; that in the event of an unsuccessful result, the temporary license shall expire immediately upon notification to the licensee and practice as a physician assistant must cease.

APPROVED (TEMPORARY)

Block, Aaron

The Committee certifies that the following applications have been reviewed and were provisionally approved pending receipt of certain information. Upon receipt of the requested information, the Committee has authorized the Executive Director to review the documents for compliance with statutory requirements and approve for licensure.

PROVISIONALLY APPROVED (PERMANENT)

Cassetta, Rocco
Crespo, Jessica
Desai, Mili
Elliason, Mindy
Kaur, Manpreet
Nixon, Carolyn
Patel, Minesh
Perkins, Danielle
Sormillon-Potenciano, Leslie Anne

The Committee reviewed the following applications which were deferred due to lack of specific documents required by law. All deferred permanent and temporary applications must return to the Committee for review.

DEFERRED (PERMANENT)

Costello, Cheryl
Mooken, Maria
Sela, Iliriana

The next scheduled meeting is November 18, 2005. There being no other business to come before the Committee, the meeting was adjourned at 12:00 noon.

Respectfully submitted,

Physician Assistant Advisory Committee
Dorcas K. O'Neal
Executive Director