

**NEW JERSEY BOARD OF MEDICAL EXAMINERS  
PHYSICIAN ASSISTANT ADVISORY COMMITTEE  
ESSEX CONFERENCE ROOM, 7TH FLOOR**

**PUBLIC SESSION MINUTES**

OCTOBER 22, 2004

Final

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

President Walsh 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: Kevin Walsh Mary Kral Dr. Mary Ibrahim

Also in attendance: Debra Levine, Deputy Attorney General, Eugene Brenycz, Regulatory Analyst, Kathleen Griffith and Nermin Messiha, Staff.

PUBLIC ATTENDANCE: None.

**I. APPROVAL OF MINUTES**

a. The Committee reviewed the Public Minutes of September 17, 2004. Redactions were made as follow:

Page II, Item III a., line 7, after "physician" add "The physician assistant in the State of New Jersey can only be supervised by a plenary physician (M.D, D.O.)." Page II, Item III, b, line 5, replace "dispense" with "order" . Page II, Item III, b, line 8, replace "write" with "an".

Upon a motion made and seconded the Committee approved the Public Session Minutes as redacted.

**II. OLD BUSINESS**

There were no items of old business.

**III. NEW BUSINESS**

a. FEE INCREASE

Darlene Kane, Budget Officer, Division of Consumer Affairs, advised members of the Physician Assistant Advisory Committee and Board of Hearing Aide Dispensers of the scheduled fee increases, due to inflation. She stated that the Board of Medical Examiners and other professional Boards have not increased fees for more than 10 years. The Board of Medical Examiners will receive an 80% increase in its licensure fees. Physician assistants and hearing aides dispensers will receive a 20% increase.

The Physician Assistant Advisory Committee remains under the Board of Medical Examiners which subsidizes the Committee's budget. The new license fee and biennial renewal fee for physician assistants will increase to \$210.00 from \$190.00, which will be amended to the fee schedule of the regulations, subject to adoption. On a motion made and seconded, the Committee unanimously approved the fee increase.

b. CONTINUING MEDICAL EDUCATION

Eugene Brenycz, Regulatory Analyst and the Committee discussed the continuing medical education credits for biennial renewal of the physician assistant license vis-a-vis the credits required by the National Commission on Certification of Physician Assistants (NCCPA) for continued national certification which runs off-cycle to the State biennial renewal. The crux of this discussion involves failure of licensees to obtain the requisite 40 continuing medical education credits (CME's) for a biennial period. The Committee discussed whether the time frame within the regulations can be amended to run concurrently with the requirements of the National Commission on Certification of Physician Assistants (NCCPA). Mr. Brenycz suggested a six months grace period for persons who did not meet the required continuing medical education credits within the biennial period.

The "carry over" provision at N.J.A.C. 13:35-2B.8(b) advises how excess continuing medical education credits in the renewal cycle may be applied. For example, if a physician assistant has 55 continuing medical education credits for a specified cycle, a carry over of fifteen (15) credits could be applied to the subsequent cycle. At N.J.A.C. 13:35-2B.8(a) Each applicant for a biennial license renewal shall be required to complete, during the preceding biennial period, a minimum of 40 continuing education credit hours in category I courses approved by the American Medical Association, the American Academy of Physician Assistants, the American Academy of Family

Physicians, the American Osteopathic Association or the Accreditation Council on Continuing Medical Education. The Board reserves the right to review and approve continuing education courses offered by entities other than those set forth above.

Eugene Brenycz, will discuss these matters with Anthony Miragliotta, Deputy Director and will apprise the Committee at its November meeting as to the determination.

c. The Committee reviewed a fax from Danielle Angel, PA-C, stating that she recently attended the Esthetic Skin Institute, Inc., training in the art and science of Botox, Collagen and Restylane implantation and inquiring as to whether as a physician assistant can be employed by a family dentist with a D.M.D. license, one day a week to administer the Botox and Collagen in his office under his license.

The Committee determined that a physician assistant in the State of New Jersey cannot work under the supervision of a dentist. Further, physician assistants must only be supervised by a plenary physician (M.D., D.O.). The first part of the question will be addressed after research, at the next meeting. Reagendized.

d. The Committee reviewed the meeting dates for the year 2005. The Committee unanimously approved the meeting dates.

e. The Election of officers. Reagendized.

f. The Committee reviewed a fax from Matthew McQuillan, PA-C, New Jersey State Society of Physician Assistants, inquiring as to 1. whether under N.J.S.A 45:9-27.19 physician assistants have the statutory authority to dispense medications, including samples which may be kept on hand for dispensing and does the statute and regulation 13:35-2B.4(b) 4, implicitly allow for the dispensing of medications by physician assistants and 2. whether Section 8 of P.L. 1940, c. 153 (C:34:2-21.8), can be interpreted (to mean) that physician assistants are among the medical professionals authorized to examine or treat individuals under labor laws.

The Committee determined that pursuant to N.J.S.A. 45:9-27.19, Ordering of medication in an inpatient setting; a physician assistant treating a patient in an inpatient setting may order or prescribe medications, subject to the following conditions (a) no controlled dangerous substances may be ordered.

Further, a physician assistant may dispense in a clinical setting, however, a physician assistant cannot initiate an order for or prescribe controlled dangerous substances (CDS).

As to question 2, the Committee determined that based on the limited facts presented, that the question be addressed to the entity which has jurisdiction over labor laws.

#### **IV. REVIEW OF THE BOARD OF MEDICAL EXAMINERS MINUTES AND AGENDA**

- a. The Committee reviewed the (Ratified) Open Board Minutes of the Board of Medical Examiners for August 11, 2004, as informational.
- b. The Committee reviewed the (Ratified) Open Board Minutes Disciplinary- Matters of the Board of Medical Examiners for August 11, 2004, as informational.
- c. The Committee reviewed the Open Board Agenda of the Board of Medical Examiners for October 13, 2004, as informational.
- d. The Committee reviewed the Open Board Agenda Disciplinary-Matters of the Board of Medical Examiners for October 13, 2004, as informational.

#### **V. LICENSURE ACTION**

- a. The Committee reviewed the Summary Action Report for Licensure Action taken from September 12, 2004 to October 14, 2004, as informational.

#### **VI. LEGISLATION/REGULATIONS**

- a. The Committee reviewed the Notice of Receipt of and Action on Petition for Rulemaking N.J.A.C. 13:35-6.5(c)4 from the attorneys for the Medical Society of New Jersey regarding the Board 's patient record regulation. The petition requests that the Board amend N.J.A.C. 13:35-6.5(c)4 to allow licensees to charge \$50.00 for records up to fifty pages and that licensees be able to charge an additional \$1.00 for all pages thereafter with no limitations, as informational.
- b. The Committee reviewed Assembly Bill No. 3279, which allows tax credit to health care professional for expenses to achieve accessibility for persons with mobility impairments, as informational.

There being no other business to come before the Committee in Public Session, on a motion by Mary Kral, seconded by Dr. Mary Ibrahim, the Public Session was adjourned, and the Committee convened in Executive Session for the purpose of receiving counsel, to review one statistical report and to review 36 applications.

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

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

#### **APPROVED (PERMANENT)**

Blanchard, Kerry  
Cousoulas, Adriadne  
Khan, Nageena  
Sciurba, Salvatore  
Smerina, Amber  
Stern, Alyse

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)**

Carducci, Dana  
Cline, Marty  
Dooley, Shawn  
Evola, Peter  
Huggle, Nancy  
Jiminez, Alina  
Lenchak, Jamie  
Luzzi, Maria  
Nelson, James  
Orlando, Anthony  
Principe, Lisa  
Ramos, Edgar  
Zapata, Sherry

PROVISIONALLY APPROVED (TEMPORARY)

Gobelny, Elise  
Hulse, Richard

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)

Biggans, Kelli  
Brower, Joann  
Buccholtz, Joel  
Chow, Edward  
Genoble, Leonora  
Kon, David  
Mathew, Sheeba  
Pammer, Monica  
Reynolds, John  
Russo, James  
Rustine, Andrea  
Sharma, Rajesh

DEFERRED (TEMPORARY)

Browarek, Tara  
Micik, Lisa  
Orlov, Vadim

The next scheduled meeting is November 19, 2004. There being no other business to come before the Committee, the meeting was adjourned at 2:00 P.M.

Respectfully submitted,

Dorcas K. O'Neal  
Executive Director

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