

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

**PUBLIC SESSION MINUTES**

**FEBRUARY 15, 2013**

**FINAL**

The February meeting of the Physician Assistant Advisory Committee was convened 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        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 December 21, 2012. **On a motion by Todd Newman, seconded by Jeffrey Maas, the Minutes were unanimously approved as submitted.**

**II. OLD BUSINESS**

There are no items of old business.

**III. NEW BUSINESS**

**a.** The Committee reviewed the fax from **Sara Wasser, PA-C** inquiring as to whether there are any regulations precluding a physician assistant from administering laser therapy for treatment of psoriasis or vitiligo.

The Committee determined that the proposed **New Rules: N.J.A.C. 13:35-6.14A, 6.14B and 6.14C and proposed Amendments: N.J.A.C. 13:35-6.14** Delegation of physical modalities to a licensed health care provider or an unlicensed physician aide; Lasers, intense pulsed light, infrared and radiofrequency; use of injections: fillers and neuromuscular blockers; Microdemabrasion and epidermal peels, while not adopted, set forth the current thinking of the Board of Medical Examiners and is the current policy of the Board. This was proposed April 2011.

**b.** The Committee reviewed a fax from **Sofya Shapiro, PA-C** advising that her supervising physician will be going away on numerous occasions and inquiring as to whether another physician can serve as her supervising physician and co-sign her charts. She inquired that if the answer is “yes” does she need to submit in writing the covering physician’s information.

The Committee determined that **pursuant to N.J.A.C. 13:35-2B.10 (d) Supervision.** A supervising physician may assign physician assistants under his or her supervision to a physician-designee, who shall be responsible for the practice of the physician assistant during the assignment.

Further. **Pursuant to N.J.A.C. 13:35-2B.3(b) Practice requirements.** The licensee shall file with the Committee a notice of employment for each full-time, part-time or per diem place of employment, on forms provided by the Committee, within 10 days after the date on which employment commences. Furthermore, the licensee shall report to the Committee any change in employment and/or supervising physician within 10 days of change. **Ms. Shapiro will be so advised and a copy of the regulations which govern the practice of physician assistants in the State of New Jersey will be enclosed.**

**c.** The Committee reviewed a fax from **Michelle Reslier, PA-C** inquiring as to whether a physician assistant can become incorporated and acquire the registration of LLC, and as to whether physician assistants can work as a “**Sole Proprietor**” in the State of New Jersey.

The Committee determined that physician assistants can only work under the direct supervision of a physician, as a physician assistant is not an independent practitioner and cannot work independently in the State of New Jersey. **Ms. Reslier may refer her legal counsel to N.J.A.C. 13:35-6.16 Professional practice structure.**

**d.** The Committee reviewed a letter from **Sharlene A. Hunt, Esq.,** seeking clarification as to whether a physician assistant may create a limited liability company to be owned by the physician assistant if the physician assistant, through his/her limited liability company, would work solely for a single physician.

The Committee determined that physician assistants can only work under the direct supervision of a physician, as a physician assistant is not an independent practitioner and cannot work independently in the State of New Jersey. **Querist may refer to N.J.A.C. 13:35-6.16 Professional practice structure.**

e. The Committee reviewed a fax from **Savy Guthrie, PA-C**, inquiring as to whether physician assistants can inject botox and fillers.

The Committee determined that the proposed **New Rules: N.J.A.C. 13:35-6.14A, 6.14B and 6.14C and proposed Amendments: N.J.A.C. 13:35-6.14** Delegation of physical modalities to a licensed health care provider or an unlicensed physician aide; Lasers, intense pulsed light, infrared and radiofrequency; use of injections: fillers and neuromuscular blockers; Microdemabrasion and epidermal peels, while not adopted, set forth the current thinking of the Board of Medical Examiners and is the current policy of the Board. This was proposed April 2011.

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

a. The Committee reviewed the **Ratified Open Board Minutes for November 14, 2012 of the Board of Medical Examiners, as informational.**

b. The Committee reviewed the **Open Board Agenda for January 9, 2013, as informational.**

c. The Committee reviewed the **Open Board Agenda Disciplinary-Matters for January 9, 2013 of the Board of Medical Examiners, as informational.**

#### **V. LEGISLATION/REGULATION**

a. **ASSEMBLY BILL NO: 3095** - The Committee reviewed the “Opioid Antidote and Overdose Prevention Act”. **The Committee concurs with the position taken by the Board of Medical Examiners.**

b. **ASSEMBLY BILL NO: 3618** - The Committee reviewed the bill which requires certain disclosures in advertisements by health care professionals. **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 Maas, seconded by Todd Newman, 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 eight (8) items of old business, two (2) items of new business and seven (7) applications.

The Committee reconvened in Public Session. The next scheduled meeting is March 15, 2013. There being no other business to come before the Committee, on a motion by Claire O'Connell, seconded by Dr. Jeffrey Berman, the meeting was adjourned at 12:30 P.M.

Respectfully submitted,

*Physician Assistant Advisory Committee*

Dorcas K. O'Neal  
Executive Director