

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

PUBLIC SESSION MINUTES

AUGUST 21, 2009

FINAL

The August 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.

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 **ABSENT:** Todd Newman
Claire O'Connell
Jeffrey Maas
Dr. Jeffrey Berman

Also in attendance: Debra Levine, Deputy Attorney General, Dorcas K. O'Neal, Executive Director, and Kathleen Griffith, Staff.

I. APPROVAL OF MINUTES

a. The Committee reviewed the Public Session Minutes for June 19, 2009. **On a motion by Claire O'Connell, seconded by Jeffrey Maas, the Minutes were unanimously approved as submitted.**

b. The Committee reviewed the July 31, 2009 Public Session Minutes of the sub-committee meeting for Sunset review of the regulations. **On a Motion by Claire O'Connell, seconded by Jeffrey Maas, the Minutes were unanimously approved as submitted.**

II. OLD BUSINESS

a. **N.J.A.C. 13:35-2B.10 5(i) and (ii) Ratios** **The rule was approved by the Board of Medical Examiners June 2007. Awaiting final approval.**

III. NEW BUSINESS

a. The Committee reviewed a fax from **Meredith Alley, PA-C**, inquiring as to whether there are any changes in the prescriptive authority for physician assistants and whether physician assistants are required to have credits for controlled dangerous substances to maintain their general prescriptive authority.

The Committee determined that at the present time physician assistants do not have to acquire any continuing education credits to maintain controlled dangerous substance (CDS) license. **A letter will be sent to Ms. Alley so advising along with a copy of the regulations which govern the practice of physician assistants in the State of New Jersey.**

b. The Committee reviewed a letter from **Dr. Jay D. Geller**, petitioning the Committee to supervise four physician assistants who will be working solely in an outpatient setting.

The Committee determined that a letter be sent to Dr. Geller advising that the Committee is proposing to amend **N.J.A.C. 13:35-2B.10 (5) i and ii** to increase the ratio of doctor to physician assistant to four (4) physician assistants per supervising physician.

However, the proposed rule amendment has not been published in the New Jersey Register for comment nor has it become effective. Further, that his request to increase the number of physician assistants he can supervise to four (4) is approved, pursuant to the provision of the current law which presently gives the Committee discretion to increase the ratio. **On a motion by by Claire O'Connell, seconded by Jeffrey Maas, the Committee unanimously approved the increase to four (4) physician assistants. A letter will be sent to Dr. Geller so advising.**

c. The Committee reviewed an e-mail from **Patricia Zweier** inquiring as to whether a physician assistant can admit a patient with the availability of the supervising physician by phone or fax only.

The Committee determined that current rules may be subject to hospital privileges which are within the purview of the hospital. Individual facilities may have by-laws that are more restrictive. The physician assistant regulations provide that a physician assistant may engage in any medical setting provided that he/she is under the direct supervision of a physician subject to the rules in a hospital setting which falls under the jurisdiction of the Department of Health and Senior Services. **A letter will be sent to Ms. Zweler so advising along with a copy of the regulations which govern the practice of physician assistants in the State of New Jersey.**

d. A fax from **Heidi Schulz, PA-C**, inquiring as to whether physician assistants, under the supervision or delegation of their supervising physician, with appropriate training and oversight may do reduction of fractures and dislocations. The reduction of fractures is done in a clinical setting where there is neurological or vascular compromise or when accompanied by a dislocation.

The Committee determined 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. The procedures delegated are addressed in the regulations. **A letter will be sent to Ms. Schulz so advising along with a copy of the regulations which govern the practice of physician assistants in the State of New Jersey.**

e. An e-mail from **Alyson Leone, Esq.**, inquiring as to whether physician assistants can have his/her own practice (e.g. LLC) and work as an independent contractor for physicians and the physician assistant would file the appropriate Verification of Supervision form for each supervising physician for whom he provides services.

The Committee determined that a letter be sent to Ms. Leone advising that based on the limited facts presented, the Committee would like clarification on the following subject areas: 1) Compensation arrangements. 2) Details of the control a supervising physician would have over a physician assistant. 3) Professional discretion and scope of practice of each class of license. 4) List of specialty areas of the physician assistant. 5) Provide copy of the agreement and 6) Details of oversight and training and any other details which may assist the Committee in reviewing the request.

IV. REVIEW OF BOARD OF MEDICAL EXAMINERS MINUTES AND AGENDA

a. The Committee reviewed the **Ratified Open Board Minutes for May 13, 2009 of the Board of Medical Examiners, as informational.**

b. The Committee reviewed the **Ratified Open Board Minutes Disciplinary-Matters for May 13, 2009 of the Board of Medical Examiners, as informational.**

c. The Committee reviewed the **Open Board Agenda for July 8, 2009 of the Board of Medical Examiners, as informational.**

d. The Committee reviewed the **Open Board Agenda Disciplinary-Matters for July 8, 2009 of the Board of Medical Examiners, as informational.**

e. The Committee reviewed the **Ratified Open Board Minutes for June 10, 2009 of the Board of Medical Examiners, as informational.**

f. The Committee reviewed the **Ratified Open Board Minutes Disciplinary-Matters for June 10, 2009, as informational.**

g. The Committee reviewed the **Open Board Agenda for August 12, 2009 of the Board of Medical Examiners, as informational.**

h. The Committee reviewed the **Open Board Agenda Disciplinary-Matters for August 12, 2009 of the Board of Medical Examiners, as informational.**

I. The Committee reviewed the **Ratified Committee Minutes, as informational.**

V. REVENUE REPORT

a. The Committee reviewed the **Revenue Report for June, 2009, as informational.**

b. The Committee reviewed the **Revenue Report for July, 2009, as informational.**

VI. LEGISLATION/REGULATION

a. **The Committee reviewed Assembly Bill 853** which requires certain persons to report suspected abuse, neglect or exploitation against vulnerable adults. **The Committee supports and concurs with the determination of the Board of Medical Examiners.**

b. The Committee need more time to review **Assembly Bill 3934** which concerns use of health information technology products. **REAGENDIZED**

There being no other business to come before the Committee in Public Session, on a motion by Claire O'Connell, seconded by Jeffrey Maas, the Public Session was adjourned and the Committee convened in Executive Session for the purpose of receiving counsel, to review seven (7) items of old business, eleven (11) items of new business and ten (10) applications.

The Committee reconvened in Public Session. The next scheduled meeting is October 16, 2009. There being no other business to come before the Committee in Public Session, the meeting was adjourned at 12:00 noon.

Respectfully submitted,
Physician Assistant Advisory Committee

Dorcas K. O'Neal
Executive Director

