

**New Jersey Board of Medical Examiners
Physician Assistant Advisory Committee
Hudson Conference Room 6th Floor**

Public Session Minutes

April 16, 2004

Final

The April 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

Dr. Mary Ibrahim

Mary Kral

Also in attendance:

Debra Levine, Deputy Attorney General, Dorcas K. O'Neal, Executive Director, Kathleen Griffith, Staff.

I. APPROVAL OF MINUTES

a. The Committee reviewed the Public Session Minutes for February 27, 2004. **On a motion by Kevin Walsh, seconded by Mary Kral the Committee accepted the minutes as submitted.**

II. OLD BUSINESS

a. The Committee reviewed the memo from Eugene Brenycz, Regulatory Analyst regarding **Senate Bill 2773** which would permit physician assistants to prescribe controlled dangerous substances. Mr. Brenycz is reviewing the prescriptive authority for certified midwives and nurse practitioners in New Jersey and prescriptive authority of physician assistants in other States. The Committee accepted the memo **as informational.**

III. NEW BUSINESS

a. The Committee reviewed correspondence from **Alise J. Blair, Lincoln Limited, Inc., 34 West Main Street, Somerville, NJ 08876** inquiring as to (1) whether physician assistants have the authority to request and receive pharmaceutical (non-controlled) samples; (2) whether physician assistants need to work for a supervising physician or have a collaborative agreement; if yes, is the collaborative agreement (with the)supervising physician required prior to the physician assistant getting a state license; whether there is an approved State formulary that must be abided by and whether there are any other conditions. She further inquired as to whether there is a website to access some of this information.

As to question 1, it was the consensus of the Committee that based on the limited facts presented, a physician assistant may request and receive pharmaceuticals (non controlled) samples.

As to question (2), no collaborative agreement is required and there is no State formulary to which physician assistants must adhere, except that which is within the scope of practice. **Pursuant to N.J.A.C. 13:35-2B.10(a)(b)** A physician assistant shall engage in practice only under the direct supervision of a physician; (b) The physician assistant shall not render care unless the following conditions are met: 1. In an inpatient setting, the supervising physician or 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 (3), the website may be accessed at www.state.nj.us/lps/ca/home.htm. **A letter will be sent to Ms. Blair so advising along with a copy of the statutes and regulations which govern the practice of physician assistants in the State of New Jersey.**

b. The Committee reviewed a letter from **Jason Staback, PA-C**, inquiring as to whether it is legal for physician assistants in the State of New Jersey to use IPL (Intense pulse light) device for the purpose of hair removal, made by Palomar. He stated that it is categorized as a category 2 device.

It was the consensus of the Committee that a letter be sent to Mr. Staback advising 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**". To the current time, the performance of microdermabrasion and glycolic acid peels have also been considered the practice of medicine but unlicensed personnel have been permitted to perform these procedures under the supervision and direction of a physician . However, please be advised that the Board is further investigating this latter issue and obtaining opinions from appropriate expert professionals. If the Board promulgates a regulation in this regard in the future it will be noticed in the New Jersey Register. Mr. Staback will be so advised.

c. The Committee reviewed a fax from **Kevin Campbell, Sona Laser Center, 100 North Warner Road, Suite 121, King of Prussia, PA 19406**, inquiring as to whether nurses, physician assistants or nurse practitioners in the State of New Jersey may perform laser hair removal; laser skin rejuvenation; endomology; intense pulse light; botox injection; collagen injections and microdermabrasion.

It was the consensus of the Committee 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". To the current time, the performance of microdermabrasion and glycolic acid peels have also been considered the practice of medicine but unlicensed personnel have been permitted to perform these procedures under the supervision and direction of a physician. However, please be advised that the Board is further investigating this latter issue and obtaining opinions from appropriate expert professionals. If the Board promulgates a regulation in this regard in the future it will be noticed in the New Jersey Register. **Mr. Campbell will be so advised.**

d. The Committee reviewed a fax from **Dr. Robert Patel, 3170 Woodview Ridge Drive, Apt. 305, Kansas city, KS 66103**, inquiring as to whether a physician assistant can perform the following procedures independently without the supervision of a physician. Intense pulse light - (IPL is not a laser). 2. Thermage - (machine uses radiofrequency). 3. Endermology for cellulite - (uses ultrasound apparatus). 4. Chemical peels - (what percentage of peels are physician assistants able to perform) (ie ICCA 20%. 30%, and glycolic peels). 5. Botox. 6. Collagen injection. 7. Skin tag removal. 8. Microdermabrasion. 9. Sclerotherapy (using sclerosing agent and not the Nd Yag). 10. Hyfrecator devise (a cautery machine).

It was the consensus of the Committee 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". To the current time, the performance of microdermabrasion and

glycolic acid peels have also been considered the practice of medicine but unlicensed personnel have been permitted to perform these procedures under the supervision and direction of a physician. However, please be advised that the Board is further investigating this latter issue and obtaining opinions from appropriate expert professionals. If the Board promulgates a regulation in this regard in the future it will be noticed in the New Jersey Register. **Dr. Patel will be so advised.**

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 January 14, 2004, as informational.**
- b. The Committee reviewed the **(Ratified) Open Board Minutes-Disciplinary Matters of the Board of Medical Examiners for January 14, 2004 as informational.**
- c. The Committee reviewed the **Open Board Agenda of the Board of Medical Examiners for March 10, 2004, as informational.**
- d. The Committee reviewed the **Open Board Agenda of the Disciplinary- Matters of the Board of Medical Examiners for March 10, 2004, as informational.**
- e. The Committee reviewed the **(Ratified) Open Board Minutes of the Board of Medical Examiners for February 11, 2004, as informational.**
- f. The Committee reviewed the **(Ratified) Open Board Minutes-Disciplinary Matters of the Board of Medical Examiners for February 11, 2004, as informational.**
- g. The Committee reviewed the **Open Board Agenda of the Board of Medical Examiners for April 14, 2004, as informational.**
- h. The Committee reviewed the **Open Board Agenda Disciplinary-Matters of the Board of Medical Examiners for April 14, 2004, as informational.**

V. LICENSURE ACTION

- a. The Committee reviewed the **Summary Report of Licensure Action taken from March 1, 2004 to April 7, 2004, as informational.**

VI. OTHER BUSINESS/FOR YOUR INFORMATION (FYI)

- a. The Committee reviewed an article "Employment Opportunities Ripe for Physician Assistants", from Anthony Miragliotta, Deputy Director, **as informational.**

There being no other business to come before the Committee in Public session, on a motion by Mary Kral, seconded Dr. Mary Ibrahim, the Public Session was adjourned, and the Committee convened in Executive Session for the purpose of receiving counsel, to review two statistical reports and to review 40 applications.

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

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)

Katz, Sarah
Miller, Victoria

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)

Bosco, Santo
Brandli, Sarah
Epstein, Austin
Hoff, Meredith
Lord, Ian
Powazinik, Tricia

PROVISIONALLY APPROVED (TEMPORARY)

Burgin, Jessica
Baughman, Sarah
Faltas, Darlene

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)

Alieva, Tamara
Beninghof, Eric
Carlucci, Robert
Ceesay, Kitabu
Dave, Amy
Fabel, Andrew
Garcia, Sandra
Gelin, Darlene
Gutierrez, Elvira
Hansel, Philip
Hilinski, Brian
Iacona, Daniela
Jose, Nancy
Luu, BaoTram
Polynice, Janice
Ryan, Lucas
Witsotsky, Joanna

DEFERRED (TEMPORARY)

Aquine, Bellazmin
Baier, Kelly

Batson, Kristen
Buro, Patricia
Cisko, Michael
Harduby, Monica
Kampe, Kristen
Mint, Michelle
Policastro, Brian
Relovsky, Mindy
Williams, Herbert
Woehrle, Scott

The next scheduled meeting is May 21, 2004. There being no other business to come before the Committee the meeting was adjourned at 1:00 P.M.

Respectfully submitted,
Physician Assistant Advisory Committee

Dorcas K. O'Neal
Executive Director
