



Arizona Regulatory Board of Physician Assistants

9545 East Doubletree Ranch Road • Scottsdale, Arizona 85258-5514
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FINAL MINUTES FOR REGULAR SESSION MEETING Held on Wednesday, February 25, 2015 9535 E. Doubletree Ranch Road - Scottsdale, Arizona 85258

Board Members

Geoffrey W. Hoffa, D.H.S.c., P.A.-C, DFAAPA, Chair
Myles A. Whitfield, P.A.-C, Vice Chair
Carole A. Crevier
Randy D. Danielsen, Ph.D., P.A.-C, DFAAPA
Charles Finch, D.O., FACOEP
Thomas E. Kelly, M.D., FACEP
Sheldon G. Liechty, P.A.-C
Kit C. McCalla, D.O.
Gary A. Smith, M.D., F.A.A.F.P.
Jacqueline J. Spiegel, M.S., P.A.-C, DFAAPA
Patrick J. Van Zanen

GENERAL BUSINESS

A. CALL TO ORDER

Chairman Hoffa called the meeting to order at 1:09 p.m.

B. ROLL CALL

The following Board members were present: Ms. Crevier, Dr. Danielsen, Chairman Hoffa, Dr. Kelly, PA Liechty, Dr. McCalla, PA Spiegel, and PA Whitfield. The following Board members were absent: Dr. Finch, Dr. Smith, and Mr. Van Zanen.

ALSO PRESENT

Patricia E. McSorley, Interim Acting Executive Director; Carrie Smith, Assistant Attorney General ("AAG"); William Wolf, M.D., Chief Medical Consultant; Mary Bober, Board Operations Manager; Andrea Cisneros, Staff Investigational Review Committee Coordinator; and Anita Shepherd, Investigations Manager.

C. CALL TO THE PUBLIC

Individuals that addressed the Board during the call to the public appear beneath the matter(s) referenced.

D. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING INTERIM ACTING EXECUTIVE DIRECTOR'S REPORT

Ms. McSorley presented her report to the Board and discussed the following items:

- Review, Discussion and Possible Action Regarding Repeal of the ARBoPA's Substantive Policy Statement #1, Deadline for Submission of Materials Prior to a Board Meeting
- Update on 5 year Rules Review
- Update on ARBoPA Renewals

E. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING CHAIR'S REPORT

- Review of August 27, 2014 Executive Director Committee Meeting Executive Session Transcript

F. REVIEW DISCUSSION AND POSSIBLE ACTION REGARDING LEGAL ADVISOR'S REPORT

AAG Smith presented her report to the Board and discussed the following items:

- Prorated Continuing Medical Education (CME) of New Licensees
- Proposed Rule Revisions R4-17-202, R4-17-203 and R4-17-205

MOTION: PA Spiegel moved to adopt the proposed revision to R4-17-205A, B, and C in regards to the CME cycle.

SECOND: Dr. Danielsen

VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse, 3-absent.

MOTION PASSED.

The Board discussed the proposed rule revisions regarding R4-17-202, R4-17-203, and R4-17-205. Board members commented on the language regarding the ten-year cycle, stating that it was unclear and needed additional work. AAG Smith stated that the Board previously voted to revise these rules and the next step is to establish the mechanism to make the revisions. She stated that the rule writer that will be working with the Board will review and comment on the proposed revisions. Chairman Hoffa suggested tabling this item and instructed staff to communicate with the American Academy of Physician Assistants regarding the issue.

G. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING ARBOPA POLICY AND LEGISLATIVE AGENDA

- Legislative Update

The Board expressed its support for the radiology revision statute that has been proposed, and noted that the matter has not yet gained a sponsor.

H. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING ELECTION OF BOARD OFFICERS

MOTION: Ms. Crevier moved to nominate Chairman Hoffa to continue as Chairman of the ARBoPA.

SECOND: Dr. Kelly

VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse, 3-absent.

MOTION PASSED.

MOTION: Chairman Hoffa moved to nominate PA Whitfield to continue as Vice Chairman of the ARBoPA.

SECOND: Dr. Kelly

VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse, 3-absent.

MOTION PASSED.

I. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING UPDATE ON ACTIVITIES FROM THE COMMITTEE ON ARBOPA STATUTES, RULES AND BOARD PROCESSES

Chairman Hoffa recognized the Committee Members and expressed his appreciation for their good work and extra effort. The following items were presented to the Board from the Committee for its consideration and approval:

- Proposed Statutory Revisions
- Proposed Rule Revisions
- Proposed Policy Changes

MOTION: Chairman Hoffa moved to adopt the findings and recommendations from the Committee on ARBoPA Statutes, Rules and Board Processes in its entirety from January 9, 2015 and January 16, 2015.

SECOND: PA Whitfield

VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse, 3-absent.

MOTION PASSED.

J. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING PROPOSAL FROM THE COMMITTEE OF DELEGATED AUTHORITY TO THE EXECUTIVE DIRECTOR

MOTION: Chairman Hoffa moved to adopt the Committee's findings as the position of the ARBoPA.

SECOND: PA Spiegel

VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse, 3-absent.

MOTION PASSED.

K. REPORT TO THE ARBOPA FROM MEMBERS OF THE EXECUTIVE DIRECTOR COMMITTEE FOR REVIEW, DISCUSSION AND POSSIBLE ACTION

L. STAFF PERFORMANCE/EXECUTIVE DIRECTOR PERFORMANCE FOR DISCUSSION AND POSSIBLE ACTION

MOTION: Chairman Hoffa moved for the Board to enter into Executive Session under items K and L, pursuant to A.R.S. §§ 32-1403(G) and 38-431.03(A)(1) and (3).

SECOND: PA Whitfield

VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse, 3-absent.

MOTION PASSED.

The Board entered into Executive Session at 1:16 p.m.

The Board returned to Open Session at 2:03 p.m.

No legal action was taken by the Board during Executive Session.

M. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING VIRTUAL DESKTOP INTERFACE (VDI)

Mr. Gentile appeared to respond to Board questions regarding VDI. Board members expressed concern about member access to high speed internet required by the VDI service. Mr. Gentile explained the benefits of VDI. He stated that the VDI environment is a virtual PC that exists on the Agency's infrastructure. Mr. Gentile added that when connecting to the system remotely, members will be able to use their personal computing devices. He stated that although the accounts can be accessed remotely through different devices using the VDI, the connection will remain secure. The Board discussed additional concerns regarding transition to VDI. Mr. Gentile stated that from a security perspective, the Board should cease use of its current 411 site; however, he recognized that it causes challenges for some Board members. He assured the Board that the Information Technology Team will do everything possible to ensure that all Board members have access to the Board's meeting materials.

MOTION: Chairman Hoffa moved to review the market to find other systems that are secure and meets the needs of the Board members in terms of technology.

SECOND: PA Whitfield

VOTE: 2-yay, 6-nay, 0-abstain, 0-recuse, 3-absent.

MOTION FAILED.

MOTION: Chairman Hoffa moved to cease the use of the current PA 411 website, in the interest of security, effective after one more Regular Meeting of the ARBoPA.

SECOND: PA Whitfield

VOTE: 6-yay, 2-nay, 0-abstain, 0-recuse, 3-absent.

MOTION PASSED.

Chairman Hoffa instructed staff to look into having the ARBoPA's website link accessible when connecting to VDI, and to report back to the Board at a future meeting.

N. APPROVAL OF MINUTES

MOTION: Chairman Hoffa moved to approve the August 27, 2014 Regular Session Meeting Executive Session.

SECOND: Ms. Crevier

VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse, 3-absent.

MOTION PASSED.

MOTION: Chairman Hoffa moved to approve the December 10, 2014 Regular Session Meeting, including Executive Session.

SECOND: PA Whitfield

VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse, 3-absent.

MOTION PASSED.

MOTION: Chairman Hoffa moved to approve the December 10, 2014 Regular Session Meeting Executive Session.

SECOND: Dr. Danielsen

VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse, 3-absent.

MOTION PASSED.

MOTION: Chairman Hoffa moved to approve the January 22, 2015 Special Teleconference Meeting.

SECOND: PA Whitfield

VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse, 3-absent.

MOTION PASSED.

LEGAL MATTERS

O. FORMAL INTERVIEWS

1. PA-14-0043A, LUMINITA IACOB, P.A., LIC. #3017

PA Iacob was present with legal counsel, Mr. Gordon Lewis. Board staff summarized that PA Iacob failed to evaluate the patient for her pain, failure to obtain an accurate history and physical, failed to evaluate the patient using hCGs with close follow and repeat ultrasound, and failed to evaluate the patient for Rh status and treat appropriately. Additionally, the Board's reviewer found that PA Iacob's medical record documentation was inadequate in that she documented a grossly inaccurate history in the chart.

In her opening statement to the Board, PA Iacob stated that while the circumstances were unfortunate and based on the manner in which the patient presented, she believes that she acted appropriately in evaluating and treating this patient. The Board observed that the patient presented for a simple pregnancy test and was identified as having irregular bleeding. According to the patient's chart, PA Iacob obtained a brief history and performed a limited physical exam and ultrasound. PA Iacob acknowledged that her documentation was limited and stated that her final assessment for the patient was based off of the history obtained from the patient.

In closing, Mr. Lewis stated that PA Iacob accurately recorded in the record the information she was given by the patient and gave appropriate recommendations for follow up. He stated that the PA acted within the standard of care with the contact that she had with this patient.

PA Spiegel stated that it is the responsibility of the provider to ensure that the medical record is accurate at the time of the encounter regarding the patient's' history and findings. PA Spiegel agreed with the medical consultant's finding that the standard of care was breached, resulting in harm to the patient relating to fertility issues.

MOTION: PA Spiegel moved for a finding of unprofessional conduct in violation of A.R.S. § 32-2501(18)(j) – Any conduct or practice that is or might be harmful or dangerous to the health of a patient or the public; and A.R.S. § 32-2501(18)(p) – Failing or refusing to maintain adequate records on a patient.

SECOND: PA Liechty

PAs Spiegel and Liechty withdrew the motion.

MOTION: PA Spiegel moved for a finding of unprofessional conduct in violation of A.R.S. § 32-2501(18)(j) – Any conduct or practice that is or might be harmful or dangerous to the health of a patient or the public.

Ms. Crevier spoke against the motion and stated she recognized that PA Iacob relied on the patient regarding her test results as she did not have her emergency room records during the time of the visit. Dr. Kelly pointed out that this was a difficult patient and stated that there are examples of this documented in the chart.

**VOTE: 2-yay, 6-nay, 0-abstain, 0-recuse, 3-absent.
MOTION FAILED.**

**MOTION: PA Spiegel moved for a finding of unprofessional conduct in violation of A.R.S. § 32-2501(18)(p) – Failing or refusing to maintain adequate records on a patient.
SECOND: PA Liechty**

Dr. McCalla stated that the issues identified with the recordkeeping seem to be due to the use of an electronic health record and cautioned the Board in holding licensees accountable for a system that carries over old information.

**VOTE: 6-yay, 2-nay, 0-abstain, 0-recuse, 3-absent.
MOTION PASSED.**

**MOTION: PA Liechty moved to issue an Advisory Letter for failing to maintain adequate medical records.
SECOND: Chairman Hoffa**

Ms. Crevier spoke in favor of the motion and suggested including an Order for non-disciplinary CME in recordkeeping.

**VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse, 3-absent.
MOTION PASSED.**

**MOTION: Ms. Crevier moved to issue an Order for Non-Disciplinary CME for inadequate medical records. Within six months, complete 10 hours of Board staff pre-approved Category I CME in medical recordkeeping. The CME hours shall be in addition to the hours required for license renewal.
SECOND: PA Whitfield
VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse, 3-absent.
MOTION PASSED.**

2. PA-14-0034A, GILBERT G. VEGA, P.A., LIC. #3434

PA Vega was present with legal counsel, Mr. Arthur Eaves. Board staff summarized that PA Vega failed to immediately initiate CPR procedures for an unresponsive patient. PA Vega's documentation regarding the encounter was noted to be sparse, and there was no review of systems or physical exam documented in the patient's chart.

PA Vega admitted that his documentation of the encounter did not meet the legal standard of care requirements. Board members questioned whether PA Vega attempted to open the patient's airway. PA Vega indicated that he attempted to reposition the patient, but was having difficulty in doing so. PA Vega stated that in retrospect, he would have taken the patient to the floor from the chair and performed CPR procedures. PA Vega assured the Board that he has taken measures to prevent a similar situation from occurring in the future, including additional training of his staff.

MOTION: Dr. McCalla moved in support of SIRC's recommendation to issue a Letter of Reprimand.

Dr. McCalla withdrew the motion.

**MOTION: PA Whitfield moved for a finding of unprofessional conduct in violation of A.R.S. § 32-2501(18)(p) – Failing or refusing to maintain adequate records on a patient.
SECOND: PA Liechty**

Ms. Crevier spoke in support of sustaining a violation of A.R.S. § 32-2501(18)(j), in addition to A.R.S. § 32-2501(18)(p), based on the PA's failure to initiate any emergency procedures to attempt to resuscitate the patient while awaiting the arrival of EMS. Chairman Hoffa spoke in favor of the motion, and stated that the PA was forthright in his responses to the Board and demonstrated that he was concerned for the patient's safety as well as the safety of himself and his staff.

MOTION: PA Spiegel moved to amend the motion to include an additional finding of unprofessional conduct in violation of A.R.S. § 32-2501(18)(j) – Any conduct or practice that is or might be harmful or dangerous to the health of a patient or the public.

SECOND: Ms. Crevier

Dr. Danielsen spoke against the amendment and suggested that the Board vote on the statutory violations in two separate motions. Several other Board members spoke against the proposed amendment.

VOTE: 2-yay, 6-nay, 0-abstain, 0-recuse, 3-absent.

MOTION FAILED.

VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse, 3-absent.

MOTION PASSED.

MOTION: PA Liechty moved to not find the PA in violation of A.R.S. § 32-2501(18)(j).

PA Liechty withdrew the motion.

MOTION: PA Whitfield moved for a draft Findings of Fact, Conclusions of Law and Order for a Letter of Reprimand.

SECOND: Dr. Kelly

Chairman Hoffa spoke against the motion and suggested the performance of a chart review in the interest of making sure that proper charting is taking place. Ms. Crevier recommended placing the PA on Probation with the requirement that he complete CME in medical recordkeeping. Dr. Danielsen also spoke against the motion, noting that PA Vega has no prior Board history. He spoke in favor of issuing the PA a non-disciplinary Advisory Letter. PA Liechty spoke in support of issuing the PA an Advisory Letter with an Order to complete non-disciplinary CME.

ROLL CALL VOTE: Roll call vote was taken and the following Board members voted in favor of the motion: Dr. Kelly and PA Whitfield. The following Board members voted against the motion: Ms. Crevier, Dr. Danielsen, Chairman Hoffa, PA Liechty, Dr. McCalla, and PA Spiegel. The following Board members were absent: Dr. Finch, Dr. Smith, and Mr. Van Zanen.

VOTE: 2-yay, 6-nay, 0-abstain, 0-recuse, 3-absent.

MOTION FAILED.

MOTION: Chairman Hoffa moved to issue an Advisory Letter for inadequate charting.

SECOND: PA Whitfield

VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse, 3-absent.

MOTION PASSED.

MOTION: Ms. Crevier moved to issue an Order for Non-Disciplinary CME for inadequate medical records. Within six months, complete 10 hours of Board staff pre-approved Category I CME in medical recordkeeping. The CME hours shall be in addition to the hours required for license renewal.

SECOND: Dr. McCalla

VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse, 3-absent.

MOTION PASSED.

Board staff was directed to refer the PA's supervising physician to the Arizona Board of Osteopathic Examiners.

CONSENT AGENDA

P. ADVISORY LETTERS (Non-Disciplinary)

MOTION: Chairman Hoffa moved to issue an Advisory Letter in items P1-3.

SECOND: PA Whitfield

VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse, 3-absent.

MOTION PASSED.

1. PA-14-0077A, HEATHER N. LEAZER, P.A., LIC. #3210

RESOLUTION: Issue an Advisory Letter for performing healthcare tasks with an expired license. While the licensee has demonstrated substantial compliance through remediation that has mitigated the need for discipline, the Board believes that repetition of the activities that led to the investigation may result in further Board action against the licensee.

2. PA-14-0076A, ALEJANDRO FIGUEROA, P.A., LIC. #2545

RESOLUTION: Issue an Advisory Letter for committing a misdemeanor involving moral turpitude. While there is insufficient evidence to support disciplinary action, the Board believes that continuation of the activities that led to the investigation may result in further Board action against the licensee.

3. PA-14-0078A, CORY M. KOVAC, P.A., LIC. #3363

RESOLUTION: Issue an Advisory Letter for inadequate documentation and for the inadequate performance of a history and physical examination. There is insufficient evidence to support discipline.

Q. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING NON-DISCIPLINARY ACTION, INCLUDING, BUT NOT LIMITED TO, ADVISORY LETTER, ADVISORY LETTER WITH NON-DISCIPLINARY CONTINUING MEDICAL EDUCATION ORDER, AND DISMISSAL

1. PA-13-0049A, TRACY S. POSTON, P.A., LIC. #2503

Chairman Hoffa recognized that this matter was considered by the Board at its previous meeting where dismissal of the case was discussed.

MOTION: Chairman Hoffa moved for dismissal.

SECOND: Dr. Danielsen

Chairman Hoffa stated that PA Poston's responses to the Board have been satisfactory in that the issues identified in the case are not concerning the PA or her performance of healthcare tasks.

VOTE: 7-yay, 1-nay, 0-abstain, 0-recuse, 3-absent.

MOTION PASSED.

R. PROPOSED CONSENT AGREEMENTS (Disciplinary)

1. PA-14-0023A, CHARLES S. LARSEN, P.A., LIC. #3179

Ms. Steger summarized that the Board received a report from PHP regarding PA Larsen's noncompliance with his Stipulated Rehabilitation Agreement by consuming alcohol. PA Larsen subsequently completed treatment and was deemed safe to practice while participating in PHP for a period of five years. Ms. Steger reported that PA Larsen entered into an Interim Consent Agreement for PHP participation and has been compliant with the program.

MOTION: Ms. Crevier moved to accept the proposed Consent Agreement for a Letter of Reprimand and Five Year Probation to participate in PHP. PA Larsen's PHP

participation shall be retroactive to May 7, 2014. Once the licensee has complied with the Probation, he must affirmatively request that the Board terminate the Probation.

SECOND: Dr. Danielsen

ROLL CALL VOTE: Roll call vote was taken and the following Board members voted in favor of the motion: Ms. Crevier, Dr. Danielsen, Chairman Hoffa, Dr. Kelly, PA Liechty, Dr. McCalla, PA Spiegel, and PA Whitfield. The following Board members were absent: Dr. Finch, Dr. Smith, and Mr. Van Zanen.

VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse, 3-absent.

MOTION PASSED.

2. PA-14-0029A, AMY J. LENOX, P.A., LIC. #3597

Ms. Steger summarized that PA Lenox was found to have prescribed controlled substances to her husband for her own use. After completing assessments by PHP and psychiatry, PA Lenox was deemed safe to practice while participating in PHP for a period of two years with psychiatric monitoring. Ms. Steger reported that PA Lenox has been participating in PHP under an Interim Consent Agreement and remains compliant with the program.

MOTION: PA Whitfield moved to accept the proposed Consent Agreement for a Letter of Reprimand and Two Year Probation for PHP participation. PA Lenox's PHP participation shall be retroactive to September 2, 2014. The Probation shall include ongoing care by an approved psychologist as well as an approved primary care prescriber of antidepressant medication. Once the licensee has complied with the Probation, she must affirmatively request that the Board terminate the Probation.

SECOND: Ms. Crevier

PA Spiegel questioned why the PA in the previous case had a recommendation to participate in PHP for a period of five years, while the recommendation for PA Lenox is for only two years. Ms. Steger explained that PA Lenox was not diagnosed with substance abuse or dependence such as the PA in item number 1. Ms. Steger indicated that historically, these issues are settled with an agreement for two years of PHP participation.

ROLL CALL VOTE: Roll call vote was taken and the following Board members voted in favor of the motion: Ms. Crevier, Dr. Danielsen, Chairman Hoffa, Dr. Kelly, PA Liechty, Dr. McCalla, PA Spiegel, and PA Whitfield. The following Board members were absent: Dr. Finch, Dr. Smith, and Mr. Van Zanen.

VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse, 3-absent.

MOTION PASSED.

3. PA-14-0007A, ERIN L. MOFFETT, P.A., LIC. #3787

Ms. Muller summarized that in January of 2015, the Board received a report from PHP indicating that PA Moffett's urinalysis was positive for a metabolite of alcohol and that subsequent testing was also positive for alcohol metabolites. PA Moffett met with the PHP Contractor and denied the use of alcohol. She offered to voluntarily surrender her license in lieu of completing the comprehensive evaluation recommended by PHP.

MOTION: Chairman Hoffa moved to accept the proposed Consent Agreement for Surrender of licensure.

SECOND: PA Whitfield

ROLL CALL VOTE: Roll call vote was taken and the following Board members voted in favor of the motion: Ms. Crevier, Dr. Danielsen, Chairman Hoffa, Dr. Kelly, PA Liechty, Dr. McCalla, PA Spiegel, and PA Whitfield. The following Board members were absent: Dr. Finch, Dr. Smith, and Mr. Van Zanen.

VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse, 3-absent.

MOTION PASSED.

S. LICENSE APPLICATIONS

i. APPROVE OR DENY LICENSE APPLICATION

1. PA-15-0015A, SUZANNE L. STRICKLAND, P.A., LIC. #N/A

Board staff reported that PA Strickland submitted her license application, on which she disclosed that she was previously charged with a felony or misdemeanor involving moral turpitude. The PA explained in her narrative to the Board that she was 17 years old when the incident occurred, and that the matter was set aside by a Superior Court Judge in July of 2014. Board members noted that PA Strickland holds an unrestricted license in Florida with no history of disciplinary action.

MOTION: Ms. Crevier moved to grant the license.

SECOND: Chairman Hoffa

VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse, 3-absent.

MOTION PASSED.

2. PA-14-0129A, SHANNON J. HEILING, P.A., LIC. #N/A

Board staff reported that PA Heiling submitted her license application in which she disclosed that she was previously charged with a felony or misdemeanor involving moral turpitude. The Board noted that the incident occurred in 2008 and involved failure to return a computer provided to the PA by her previous employer.

MOTION: Dr. Danielsen moved to grant the license.

SECOND: PA Spiegel

VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse, 3-absent.

MOTION PASSED.

ii. CURRENT RENEWAL APPLICATIONS - REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING WHETHER OR NOT TO GRANT THE RENEWAL OF LICENSE AND CONSIDERATION OF RECOMMENDED ACTION

1. PA-14-0095A, NICOLE F. OPREA, P.A., LIC. #2627

Board staff reported that PA Oprea failed to complete the statutorily required CME hours for her license renewal within the qualifying date range.

MOTION: Chairman Hoffa moved to grant the license renewal.

SECOND: Ms. Crevier

VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse, 3-absent.

MOTION PASSED.

MOTION: Chairman Hoffa moved to issue an Advisory Letter for failing to complete the CMEs during the qualifying date range. While the licensee has demonstrated substantial compliance through remediation that has mitigated the need for discipline, the Board believes that repetition of the activities that led to the investigation may result in further Board action against the licensee.

SECOND: PA Whitfield

VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse, 3-absent.

MOTION PASSED.

2. PA-14-0096A, DANIEL FINNEY, P.A., LIC. #2893

Board staff reported that PA Finney failed to complete the statutorily required CME for his license renewal within the qualifying date range.

MOTION: PA Whitfield moved to grant the license renewal.

SECOND: PA Liechty

VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse, 3-absent.

MOTION PASSED.

MOTION: Chairman Hoffa moved to issue an Advisory Letter for failing to complete the CMEs during the qualifying date range. While the licensee has demonstrated substantial compliance through remediation that has mitigated the need for discipline, the Board believes that repetition of the activities that led to the investigation may result in further Board action against the licensee.

SECOND: PA Whitfield

VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse, 3-absent.

MOTION PASSED.

3. PA-14-0089A, JANET G. EGELSTON, P.A., LIC. #1355

Board staff reported that PA Egelston submitted proof of completed CME for her license renewal; however, the CME was noted to have been completed after the qualifying date range for the renewal period.

MOTION: PA Whitfield moved to grant the license renewal.

SECOND: Dr. Danielsen

VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse, 3-absent.

MOTION PASSED.

MOTION: PA Whitfield moved to issue an Advisory Letter for failing to complete the CMEs during the qualifying date range. While the licensee has demonstrated substantial compliance through remediation that has mitigated the need for discipline, the Board believes that repetition of the activities that led to the investigation may result in further Board action against the licensee.

SECOND: Chairman Hoffa

VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse, 3-absent.

MOTION PASSED.

4. PA-14-0088A, MATTHEW J. ANDERSON, P.A., LIC. #4337

Board staff reported that PA Anderson completed only a portion of the statutorily required CME hours for his license renewal.

MOTION: Dr. Danielsen moved to grant the license renewal.

SECOND: PA Whitfield

VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse, 3-absent.

MOTION PASSED.

MOTION: Dr. Danielsen moved to issue an Advisory Letter for failing to complete the CMEs during the qualifying date range. While the licensee has demonstrated substantial compliance through remediation that has mitigated the need for discipline, the Board believes that repetition of the activities that led to the investigation may result in further Board action against the licensee.

SECOND: PA Whitfield

VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse, 3-absent.

MOTION PASSED.

5. PA-14-0090A, DAVID S. SORENSON, P.A., LIC. #3574

Board staff reported that PA Sorenson proof of CME that he completed for his license renewal; however, the hours were noted to have been obtained after the qualifying date range for the renewal period.

MOTION: Ms. Crevier moved to grant the license renewal.

SECOND: Chairman Hoffa

VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse, 3-absent.

MOTION PASSED.

MOTION: Ms. Crevier moved to issue an Advisory Letter for failing to complete the CMEs during the qualifying date range. While the licensee has demonstrated substantial compliance through remediation that has mitigated the need for discipline, the Board believes that repetition of the activities that led to the investigation may result in further Board action against the licensee.

SECOND: PA Whitfield

VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse, 3-absent.

MOTION PASSED.

6.PA-14-0092A, ERIC C. VACCO, P.A., LIC. #5324

Board staff reported that PA Vacco completed CME hours of which he submitted proof during the process of his license renewal; however, the CME credits were obtained outside of the qualifying date range for the license renewal year cycle.

MOTION: PA Spiegel moved to grant the license renewal.

SECOND: PA Whitfield

VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse, 3-absent.

MOTION PASSED.

MOTION: Ms. Crevier moved to issue an Advisory Letter for failing to complete the CMEs during the qualifying date range. While the licensee has demonstrated substantial compliance through remediation that has mitigated the need for discipline, the Board believes that repetition of the activities that led to the investigation may result in further Board action against the licensee.

SECOND: PA Whitfield

VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse, 3-absent.

MOTION PASSED.

7.PA-14-0094A, JEFFREY L. BEAIRD, P.A., LIC. #5668

Board staff reported that PA Beaird submitted proof of completed CME hours, and it was noted that the CME credits were not obtained during the qualifying date range for the renewal year cycle.

MOTION: PA Spiegel moved to grant the license renewal.

SECOND: Dr. Daniels

VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse, 3-absent.

MOTION PASSED.

MOTION: Ms. Crevier moved to issue an Advisory Letter for failure to complete the CMEs within the qualifying date range.

SECOND: PA Liechty

PA Spiegel spoke against the motion, noting that the PA was not employed during that period of time. Ms. Crevier and PA Liechty withdrew the motion.

MOTION: Chairman Hoffa moved to dismiss the case.

SECOND: PA Spiegel

Dr. McCalla commented that lack of employment does not preclude a PA from completing the statutorily required CME hours for license renewal. Board members recognized that the PA was issued a license and was then due to renew within a matter of months.

VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse, 3-absent.

MOTION PASSED.

8. PA-14-0093A, KARLA M. CHAPMAN, P.A., LIC. #5642

Board staff reported that PA Chapman completed CME hours outside of the qualifying date range for the license renewal year cycle.

MOTION: PA Whitfield moved to grant the license renewal.

SECOND: Dr. Daniels

VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse, 3-absent.

MOTION PASSED.

MOTION: PA Whitfield moved to dismiss the case.

SECOND: PA Spiegel

VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse, 3-absent.

MOTION PASSED.

9. PA-14-0091A, ALEXANDRA M. MAJESTY, P.A., LIC. #4703

Board staff reported that PA Majesty failed to complete the statutorily required CME hours for the license renewal year cycle. Board members questioned whether staff had inquired as to the PA's intent to complete the CME hours. Chairman Hoffa suggested tabling this matter and directing Board staff to correspond with the PA as to whether she had made any attempt to complete CME. It was noted that the PA indicated during the course of the investigation that she is currently unemployed due to maternity leave and lives out of state. Chairman Hoffa reiterated his suggestion to allow the PA the opportunity to informally complete the CME hours and have the matter heard at the Board's next regular meeting. Ms. Crevier recognized that PA Majesty is licensed in three other states.

This matter was tabled. Chairman Hoffa directed Board staff to contact the PA via telephone and US Mail instructing the PA to complete the CME hours prior to the Board's next regular meeting.

OTHER BUSINESS

T. REQUEST FOR TERMINATION OF BOARD ORDER

1. PA-14-0103A, JOHN D. SHULL, P.A., LIC. #5898

PA Shull addressed the Board during the call to the public with Attorney Christine Cassetta. Ms. Muller summarized that PA Shull requested termination of his Board Order and the issuance of a full, unrestricted Arizona PA license. She explained that PA Shull was initially issued a probationary license with the requirement to complete designated CME. Ms. Muller reported that PA Shull has complied with the Board Order and has submitted proof of completion of the CME hours.

MOTION: Ms. Crevier moved to grant the request to terminate the Board Order.

SECOND: PA Spiegel

VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse, 3-absent.

MOTION PASSED.

U. REQUEST FOR REACTIVATION OF LICENSE

1. PA-15-0019A, JACK D. RICE, P.A., LIC. #2187

Ms. R. Shepherd summarized that PA Rice's Arizona PA license was placed on inactive status after he reported to the Board that he had been retired since February of 2014 and had not completed any of the statutorily required CME hours for his 2014 license renewal. Ms. R. Shepherd stated that PA Rice subsequently submitted his license renewal application requesting reactivation of his license.

Chairman Hoffa expressed concern regarding the issue of PAs re-entering practice without a Board policy in place that outlines procedures for retirees re-entering the healthcare field. AAG Smith explained that options available to the Board include inviting the PA to meet with the Board for a formal interview, refer the PA for an evaluation, or grant a probationary license with the requirement that the PA complete designated CME to assure that the PA is competent to safely engage in the practice of medicine. Chairman Hoffa spoke in favor of

inviting the PA to meet with the Board or to require the PA to submit evidence that he completed 20 hours of CME within the previous year.

Dr. McCalla spoke in favor of requiring the PA to complete 20 hours of CME in order for his license to be reactivated. Dr. Danielsen stated that he would be satisfied to grant the reactivation of PA Rice's license if he is NCCPA certified. Board members noted that PA Rice initially received his NCCPA certification in 1999, and that his certification expired in 2011. Dr. Kelly commented that accumulative CME will not satisfy his concerns for the PA to re-enter practice since he is currently not NCCPA certified.

Board members recognized that PA Rice's request for license inactivation was due in part to reported health reasons. AAG Smith pointed out to the Board that PA Rice did not request any accommodations under the Americans with Disabilities Act based on that issue.

Chairman Hoffa proposed granting the license reactivation. He added that the Board should revisit the broader issue of re-entry to practice by retired PAs and that the Board develop a policy and potentially address the issue with the State Legislature.

MOTION: PA Spiegel moved to grant a provisional license with the requirement to meet with Board staff, including a Medical Consultant, to ensure competency, prior to the Board's next Regular Meeting.

SECOND: Ms. Crevier

Dr. Wolf offered to meet with the PA for an informal interview with the accompaniment of a Board member, to discuss the PA's request for reactivation. Dr. Wolf stated that re-entry to practice is a difficult and complex problem in terms of determining competency, and pointed out that there are facilities that can assess the PA such as PACE or CPEP. Dr. Wolf commented that referring the PA for a competency assessment may be an appropriate response to a licensee who has requested license reactivation after being out of practice for a longer period of time. The Board discussed tabling this matter until such time as the PA has had an opportunity to meet with Board staff and a designated Board member for an informal interview.

VOTE: 1-yay, 7-nay, 0-abstain, 0-recuse, 3-absent.

MOTION FAILED.

MOTION: Dr. McCalla moved to continue the investigation to allow the applicant to present for an interview with Board staff and a PA Board member regarding compliance with A.R.S. § 32-2528(D), and report back to the Board at its next Regular Meeting.

SECOND: PA Liechty

VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse, 3-absent.

MOTION PASSED.

Chairman Hoffa instructed Board staff to agendize the issue of practice re-entry on a future Board meeting for discussion regarding statutes, policy and Board procedure.

MOTION: Chairman Hoffa moved to adjourn the meeting.

SECOND: Ms. Crevier

VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse, 3-absent.

MOTION PASSED.

The meeting adjourned at 6:44 p.m.



A handwritten signature in black ink that reads "Patricia E. McSorley".

Patricia E. McSorley
Executive Director