



Arizona Regulatory Board of Physician Assistants

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DRAFT MINUTES FOR REGULAR SESSION MEETING Held on Wednesday, May 21, 2014 9535 E. Doubletree Ranch Road - Scottsdale, Arizona 85258

Board Members

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

CALL TO ORDER

Dr. Hoffa called the meeting to order at 1:05 p.m.

ROLL CALL

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

ALSO PRESENT

Christopher Munns, Assistant Attorney General (AAG), Solicitor General's Office, John Tellier, AAG, Legal Advisor, C. Lloyd Vest, II, Executive Director, Pat McSorley, Deputy Director, William Wolf, M.D., Chief Medical Consultant, Anita Shepherd, Investigations Office Assistant Manager, Celina Shepherd, Licensing Office Manager, Mary Bober, Board Operations Manager, and Andrea Cisneros, SIRC Coordinator.

FORMAL HEARING MATTERS

CONSIDERATION OF AND VOTE ON PROPOSED BOARD ORDER ARISING FROM ADMINISTRATIVE LAW JUDGE (ALJ) RECOMMENDED DECISION

1. PA-12-0053A, LISA L. AMAYA, P.A., LIC. #3506

PA Amaya was not present during the Board's consideration of this matter. Ms. Froedge was present on behalf of the State.

MOTION: PA Hoffa moved to enter into Executive Session to obtain legal advice.

SECOND: PA Whitfield

VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse, 2-absent.

MOTION PASSED.

The Board entered into Executive Session at 1:06 p.m.

The Board returned to Executive Session at 1:10 p.m.

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

Board members indicated that they received and reviewed the administrative record of the Formal Hearing in this matter. Ms. Froedge summarized that PA Amaya appealed the Board's Order for Non-Disciplinary CME and the matter was referred to Formal Hearing. She stated that the ALJ recommended upholding the Board's Order. Ms. Froedge informed the Board that after receiving the ALJ's

recommended decision, PA Amaya submitted documentation to demonstrate that she successfully completed the CME.

Ms. Froedge informed the Board that modifications were made to Findings of Fact #6 replacing the "latter" with "later," and Findings of Fact #10 replacing "let" with "led." She requested that the Board adopt the ALJ's recommended decision with the proposed modifications and approve the Board's Order arising from ALJ's recommendation.

MOTION: PA Whitfield moved to adopt the ALJ's recommended Findings of Fact, Conclusions of Law and Order as modified.

SECOND: Dr. Finch

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

VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse, 2-absent.

MOTION PASSED.

CALL TO THE PUBLIC

NON-TIME SPECIFIC ITEMS

EXECUTIVE DIRECTOR'S REPORT

Board members welcomed Mr. Vest as the Agency's new Executive Director. Mr. Vest stated that the Agency has a great staff, but that additional staff is needed. He stated that he is in the process of working with the Department of Administration in order to return the Agency to the appropriate number of staff to effectively address the workload of both boards. Mr. Vest informed the Board that he has reached out to the Board's stakeholders in an effort to maintain good line of communication and stated that he is happy to meet with any association or organization to discuss any issues related to the Board. Mr. Vest further reported that the Agency is currently looking at its processes to ensure compliance with the statutes and rules.

Mr. Vest stated that in preparation of his new position as the Executive Director, he studied the statutes and rules applicable to both boards. He stated that one rule he identified as problematic is R4-17-205B as it relates to requests for extension to complete the required CME for PA licensure renewal. Mr. Vest proposed that the Board consider allowing the Chairman to act on its behalf to grant or deny the requests while staff amends section B of the Rule so that compliance is possible. When asked, Mr. Tellier stated that this cannot be delegated to the Executive Director to act on behalf of the Board as the Rule is written in such a way that the Board itself is to act on the requests.

MOTION: Dr. Finch moved to authorize the Board's Chairman to act on its behalf to grant or deny written requests for extensions of time in which to complete the required CME and to authorize the Board staff to act at the earliest opportunity to amend section B of the Rule so that compliance is possible in each instance.

SECOND: Mr. Van Zanen

Board members questioned whether changing the date of licensure renewal would alleviate the problem identified in terms of the timeframe in which the requestor is to be notified of the Board's decision. Mr. Vest informed the Board that the date for license renewal is defined by statute, and he explained that a statutory change is more difficult versus modifying the existing Rule. The Board discussed the latter part of the motion regarding Board staff amending section B of the Rule. Mr. Vest stated that Board staff would not act on the amendment until receiving Board approval. Dr. McCalla suggested amending the motion accordingly.

MOTION: Dr. McCalla moved to amend the motion to include that Board staff is authorized to act to amend the Rule with Board approval.

SECOND: Chairman Hoffa

VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse, 2-absent.

MOTION PASSED.

AMENDED MOTION: Dr. Finch moved to authorize the Board's Chairman to act on its behalf to grant or deny written requests for extensions of time in which to complete the required CME and to authorize the Board staff to act with Board approval at the earliest opportunity to amend section B of the Rule so that compliance is possible in each instance.

SECOND: Mr. Van Zanen

VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse, 2-absent.

MOTION PASSED.

Board members discussed potential changes to its online licensee profiles. Mr. Tellier explained that pursuant to A.R.S. § 32-2507.E.3., certain information is required to be on the PA profiles that are maintained by the Board, including the number of pending complaints as well as final disciplinary and non-disciplinary actions for a period of five years. Mr. Tellier stated that A.R.S. § 32-3214 is a broader, more general statute that indicates non-disciplinary actions taken by a health regulatory board is to be made available to the public upon a public records request, but may not appear on the board's website. Mr. Tellier stated that there are additional provisions to A.R.S. § 32-3214, including a requirement that the Board's website display that a person may obtain additional public records related to any licensee by contacting the Agency. Chairman Hoffa instructed staff to comply with statute and update the Board's website accordingly.

CHAIR'S REPORT

Chairman Hoffa reported the successful passing of Senate Bill 1345. He also reported his attendance at the April 2014 FSMB meeting. He stated that the ARBoPA is currently not a voting member at the FSMB, and that he anticipates that PAs will be involved with the highest levels of healthcare in the future.

LEGAL ADVISOR'S REPORT

Mr. Tellier informed the Board that in addition to the passing of Senate Bill 1345, there have been other statutes enacted and signed by the Governor that will have an impact on the Board. He reported that A.R.S. § 32-3217 which mandates a 12-hour board member training to be completed within the first year of appointment. Mr. Tellier stated that an amendment had been made to the small business bill of rights in relation to administrative rights of individuals that will affect a number of regulated entities. He added that the Attorney General's Office can work with staff to develop training and to assist the Board in keeping compliant with the statutes and rules.

EXECUTIVE DIRECTOR DELEGATED DUTIES PROPOSED RULE

Mr. Vest presented this matter to the Board. He stated that both the Arizona Regulatory Board of PAs (ARBoPA) and the Arizona Medical Board (AMB) have the ability to delegate certain duties to the Executive Director. In reviewing the applicable statutes and rules for each board, Mr. Vest stated that he noted that the AMB delegated different authorities to the Executive Director under rule, and that the ARBoPA does not have a similar rule for delegated authorities. Rather, the ARBoPA voted to delegate certain duties to the Executive Director in 2002. Mr. Vest stated that he contacted Mr. Tellier and discussed how to proceed. It was suggested that the Board ratify the presently delegated duties that were previously voted on by the Board and to move forward by preparing rules for the Board's review and approval in relation to appropriate Executive Director duties.

Chairman Hoffa entertained Board discussion regarding what duties would be appropriate to delegate to the Executive Director. Board members discussed taking a more in depth look into the Executive Director's delegated authority and considered forming a Committee to address the issue. The Board agreed that ratifying the current delegated authority would be appropriate with temporarily approval, and to further address the matter through a Committee. As a result of Board discussion, the Committee of Delegated Authority to the Executive Director was formed, with the members to include Chairman Hoffa as Committee Chairman, Ms. Crevier, Dr. Finch, and PA Spiegel.

MOTION: PA Spiegel moved to temporarily ratify the 2002 delegation of duties to the Executive Director until further time that the Committee of Delegated Authority to the Executive Director can meet, investigate, solidify, and bring up to date and make a recommendation to the ARBoPA.

SECOND: Chairman Hoffa

VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse, 2-absent.

MOTION PASSED.

ARBOPA POLICY DISCUSSION AND LEGISLATIVE AGENDA

Chairman Hoffa presented this matter to the Board. He stated that staff has been instructed to place this discussion topic on all future regular meeting agendas to provide the Board members with the ability to discuss any policy item or items in which a legislative agenda is needed.

UTILIZATION OF THE ARBOPA AND ARIZONA MEDICAL BOARD AUDIO-VISUAL AND INFORMATION TECHNOLOGY EQUIPMENT FOR MEETINGS UPDATE

Board members noted that the Agency's Administrative Conference Room has been typically utilized in facilitating a teleconference meeting of either the ARBoPA or AMB. It was noted that the Board Room has also been used in the past when some Board members have been physically present for teleconferences, though it is not an optimal setting to hold such meetings.

Mr. Vest reported that new statutes require all meetings of the boards to be video and audio recorded. He stated that after researching the issue of facilitating a video recording of teleconference meetings, it was determined that it would be more cost effective to add a video recorder to the Board's Administrative Conference Room versus upgrading the Board Room audio-visual equipment. James Gentile, Chief Information Officer, requested Board direction regarding the multiple quotes obtained from vendors relating to the Board Room equipment upgrade. The Board discussed obtaining additional quotes for installing video recording equipment in the Administrative Conference Room. Chairman Hoffa suggested initiating dialogue with the AMB to discuss the boards' options after obtaining the additional quotes. He proposed discussing the matter at the first Joint Executive Committee meeting with the AMB and ARBoPA Chair and Vice Chair with regard to budgeting the project and selection of a vendor.

APPROVAL OF MINUTES

MOTION: Chairman Hoffa moved to approve the October 17, 2013 Executive Session Minutes.

SECOND: PA Spiegel

VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse, 2-absent.

MOTION PASSED.

MOTION: Chairman Hoffa moved to approve the February 19, 2014 Special Teleconference Meeting Minutes.

SECOND: Dr. Finch

VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse, 2-absent.

MOTION PASSED.

MOTION: PA Whitfield moved to approve the February 26, 2014 Regular Session Meeting Minutes, including Executive Session.

SECOND: Dr. Finch

VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse, 2-absent.

MOTION PASSED.

MOTION: PA Whitfield moved to approve the March 5, 2014 Special Teleconference Meeting Minutes.

SECOND: Ms. Crevier

VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse, 2-absent.

MOTION PASSED.

ADVISORY LETTERS (Non-Disciplinary)

1. PA-13-0024A, MAYSEL CORREA, P.A., LIC. #3451

MOTION: Ms. Crevier moved for a finding of unprofessional conduct in violation of A.R.S. § 32-2501(18)(p) and to issue an Advisory Letter for inadequate documentation. This matter does not rise to the level of discipline.

SECOND: Chairman Hoffa

Dr. Wolf informed the Board that when this matter was considered by the Staff Investigational Review Committee (SIRC), discussion was made regarding whether to return the case for further investigation to obtain a new quality of care review. Dr. Wolf recalled that SIRC noted the reviewing consultant claimed that there was not a clear deviation from the standard of care and that the consultant pointed out that this case involved an atypical presentation. For these reasons, Dr. Wolf stated that SIRC determined that a second review of the case was not required and that the matter does not rise to the level of discipline.

Dr. McCalla stated he was concerned with the checklist items and infrequent visitation of the patient, but that he did not believe the matter rises to the level of discipline.

VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse, 2-absent.
MOTION PASSED.

2. PA-13-0056A, SARAH M. PRZYBYLA, P.A., LIC. #3120

MOTION: PA Whitfield moved for a finding of unprofessional conduct in violation of A.R.S. § 32-2501(18)(j) and to issue an Advisory Letter for failure to order the proper studies to assess a patient for deep vein thrombosis. The violation was a one-time occurrence that does not rise to the level of discipline.

SECOND: Dr. Kelly

VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse, 2-absent.
MOTION PASSED.

3. PA-13-0055A, KEVIN D. EARLYWINE, P.A., LIC. #2140

MOTION: PA Whitfield moved for a finding of unprofessional conduct in violation of A.R.S. § 32-2501(18)(p) and to issue an Advisory Letter for inadequate medical records. This matter does not rise to the level of discipline.

SECOND: PA Spiegel

VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse, 2-absent.
MOTION PASSED.

4. PA-13-0067A, NEIL C. LEWIS, P.A., LIC. #4519

Dr. Wolf summarized that the medical consultant stated that the standard of care requires written notification of the decision to terminate patient care with the provision of sufficient time for the patient to find another provider. The medical consultant observed in this case that the patient was terminated from the practice with no termination letter. Dr. Wolf stated that an allegation was made in the complaint that PA Lewis may have been under the influence at the time he saw the patient. To address this allegation, the PA was referred to the PHP Contractor for an assessment who determined that the PA did not have a substance abuse disorder and was safe to perform healthcare tasks.

MOTION: Chairman Hoffa moved for dismissal.

SECOND: Dr. Kelly

Chairman Hoffa stated that there is no documentation to support that it was the PA's decision to dismiss the patient from the practice and stated that the PA should not be held responsible for patient termination in this particular case. Board members discussed the PHP assessment and whether the PA may have a medical or cognitive problem that was not addressed by the PHP Contractor. The Board noted that statute does not address a specific timeframe required for a practitioner to allow the patient time to find a new provider. He stated that it is common for an allowance of thirty days in order for the patient to find a new provider, and that there are instances where certain factors might reduce that timeframe or extend it, contingent upon the circumstances surrounding the termination of care. Board members noted that the patient's insurance company terminated the patient's care due to the circumstances which involved the patient's threatening behavior towards the office staff.

VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse, 2-absent.
MOTION PASSED.

ADVISORY LETERS WITH NON-DISCIPLINARY CONTINUING MEDICAL EDUCATION ORDER

1. PA-13-0039A, KENDEL M. GORDON, P.A., LIC. #5340

PA Spiegel was recused from this case. Kathleen Coffey, M.D., Medical Consultant, summarized that the medical consultant identified deviations from the standard of care and was critical of the PA's medical record documentation. The medical consultant found that the documentation was inadequate in that there was no decision making noted in the record regarding the suspicion for GAS, Zithromax and Prednisone were under-dosed, IM Rocephin was initiated without indication, Lortab was initiated at an excessive dose, and the PA failed to recognize a Lisinopril prescription error at the time of the patient's discharge.

Board members noted that the PA's Supervising Physician was referred to the Arizona Medical Board for review.

MOTION: PA Whitfield moved for a finding of unprofessional conduct in violation of A.R.S. § 32-2501(j) and (p), and to issue an Advisory Letter for providing an erroneous prescription for a blood pressure medication, for inappropriate antibiotic prescribing, and for inadequate medical records. This matter does not rise to the level of discipline.

SECOND: Dr. Finch

Chairman Hoffa stated that he was concerned with the PA's conduct in this particular case.

VOTE: 7-yay, 0-nay, 0-abstain, 1-recuse, 2-absent.

MOTION PASSED.

MOTION: PA Whitfield moved for a finding of unprofessional conduct in violation of A.R.S. § 32-2501(18)(j) and to issue an Order for Non-Disciplinary CME for providing an erroneous prescription for a blood pressure medication, and for inappropriate antibiotic prescribing. Within six months, complete 5-10 hours of Board staff pre-approved Category I CME in the treatment of pharyngitis and upper respiratory infections. The CME hours shall be in addition to the hours required for license renewal.

SECOND: Dr. Finch

MOTION: Ms. Crevier moved to amend the motion to include a violation of A.R.S. § 32-2501(18)(p) for inadequate medical records, and to include the requirement that the PA complete 5-10 hours of Board staff pre-approved Category I CME in medical recordkeeping.

SECOND: Chairman Hoffa

VOTE: 7-yay, 0-nay, 0-abstain, 1-recuse, 2-absent.

MOTION PASSED.

AMENDED MOTION: PA Whitfield moved for a finding of unprofessional conduct in violation of A.R.S. § 32-2501(18)(j) and (p) and to issue an Order for Non-Disciplinary CME for providing an erroneous prescription for a blood pressure medication, for inappropriate antibiotic prescribing, and for inadequate medical records. Within six months, complete 5-10 hours of Board staff pre-approved Category I CME in the treatment of pharyngitis and upper respiratory infections, and 5-10 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. Finch

MOTION: PA Whitfield moved to amend the motion to specify the number of CME hours to be completed by the PA to be no less than 5 hours each in both subject matters included in the Board's motion.

SECOND: Chairman Hoffa

This motion was withdrawn.

AMENDED MOTION: PA Whitfield moved for a finding of unprofessional conduct in violation of A.R.S. § 32-2501(18)(j) and (p) and to issue an Order for Non-Disciplinary CME for providing an erroneous prescription for a blood pressure medication, for inappropriate antibiotic prescribing, and for inadequate medical records. Within six months, complete 5-10 hours of Board staff pre-approved Category I CME in the treatment of pharyngitis and upper respiratory infections, and 5-10 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. Finch

VOTE: 7-yay, 0-nay, 0-abstain, 1-recuse, 2-absent.

MOTION PASSED.

2. PA-13-0075A, CAMERON H. MOSKOS, P.A., LIC. #4699

Ingrid Haas, M.D., Medical Consultant, summarized that the medical consultant determined that PA Moskos failed to check a tissue sample to rule out spontaneous miscarriage, failed to act on slowly decreasing hCG levels, and failed to formulate a plan that included repeat examinations.

MOTION: PA Whitfield moved for a finding of unprofessional conduct in violation of A.R.S. § 32-2501(18)(j) and to issue an Advisory Letter for failing to establish or rule out ectopic pregnancy. This matter does not rise to the level of discipline.

SECOND: Dr. McCalla

Dr. Haas informed the Board that PA Moskos was receiving the ultrasound reports from the ultrasound sonographer. She stated that the three ultrasound reports obtained did not mention the ectopic pregnancy. Mr. Van Zanen questioned whether there was culpability at any level in this case if the ectopic pregnancy was not appearing on the ultrasounds obtained. Dr. Kelly stated that from an emergency medicine perspective, ectopic pregnancy should be ruled out prior to exploring other diagnoses. Chairman Hoffa stated that the PA should have followed up with the patient's beta hCG levels in a timelier fashion in order to rule out ectopic pregnancy.

VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse, 2-absent.

MOTION PASSED.

The Board discussed SIRC's recommendation for CME in the diagnosis and management of ectopic pregnancy and considered expanding the scope of the CME to be obtained by the PA. Dr. Haas proposed requiring CME in first trimester obstetrical complications to address the Board's concerns.

MOTION: Dr. McCalla moved for a finding of unprofessional conduct in violation of A.R.S. § 32-2501(18)(j) and to issue an Order for Non-Disciplinary CME for failing to properly evaluate a patient with a possible ectopic pregnancy as described by the medical consultant. Within six months, complete 8 or more hours of Board staff pre-approved Category I CME in first trimester obstetrical complications. The CME hours shall be in addition to the hours required for license renewal.

SECOND: Chairman Hoffa

VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse, 2-absent.

MOTION PASSED.

3. PA-13-0019A, NEIL C. LEWIS, P.A., LIC. #4519

Dr. Wolf summarized that this case involved a similar allegation that the PA was under the influence during the patient's examination. Dr. Wolf reiterated the assessment results and stated that the medical consultant who reviewed the case determined that PA Lewis met the standard of care, though medical record inadequacies were identified. Chairman Hoffa pointed out the PA's claim that he is subject to the management in relation to being a part of the medical record subscription service. PA Lewis had indicated to Board staff during the investigation that he is not listed as a provider in the electronic medical record subscription service in an effort to be cost effective within the practice. Dr. Wolf stated that PA Lewis' Supervising Physician corresponded with the Board, conceding that the PA's name was left off deliberately to try and cut costs. Board members noted that the Supervising Physician has been referred to the AMB for review.

MOTION: Dr. McCalla moved for a finding of unprofessional conduct in violation of A.R.S. § 32-2501(18)(p) and to issue an Advisory Letter for inadequate medical records. This matter does not rise to the level of discipline.

SECOND: Mr. Van Zanen

The Board discussed the assessment performed by the Board's Contractor and noted that the PA had been under medical treatment that involved an opiate prescription. Board members also discussed whether it is appropriate for the PA to perform healthcare tasks while taking his medication. Chairman Hoffa pointed out that the allegation regarding the PA having a substance abuse problem was not substantiated and redirected the Board to consider the current motion involving a medical records violation.

VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse, 2-absent.

MOTION PASSED.

MOTION: Ms. Crevier moved for a finding of unprofessional conduct in violation of A.R.S. § 32-2501(18)(p) and to issue an Order for Non-Disciplinary CME for inadequate medical records.

Within six months, complete 15-20 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: Chairman Hoffa

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

MOTION PASSED.

APPROVE OR DENY LICENSE APPLICATION

1. PA-13-0083A, LINDA R. BOGGS, P.A., LIC. #N/A

Raquel Rivera, Investigator, presented this case to the Board and summarized that on September 12, 2011, PA Boggs was disciplined by the West Virginia Board in the form of a public reprimand, \$500 fine and requirement to complete CME in controlled substances prescribing. On March 27, 2012, PA Boggs' West Virginia license was suspended due to her failure to complete the CME per the West Virginia Order. Ms. Rivera stated that PA Boggs later provided evidence of completion of the CME and her license was reinstated on April 24, 2012. Ms. Rivera informed the Board that the PA is currently not practicing as a PA, but continues to complete CME to retain her licensure. Ms. Rivera added that PA Boggs disclosed that she has applied for a North Carolina PA license and that the North Carolina Board is investigating the matter as well.

MOTION: PA Whitfield moved to grant the PA a license.

SECOND: Ms. Crevier

VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse, 2-absent.

MOTION PASSED.

2. PA-14-0032A, PUNEET GUPTA, P.A., LIC. #N/A

PA Gupta spoke during the call to the public. He informed the Board that he is immensely interested in obtaining an Arizona PA license, and that the past incidents have been resolved with no formal action taken against him.

Marlene Young, Investigator, presented this matter to the Board and summarized that PA Gupta failed to disclose on his initial licensure application that he was previously placed on academic probation. She stated that during the course of the investigation, PA Gupta met with Board staff for an investigational interview and he recanted his answers, fully disclosing the previous incidents.

MOTION: Mr. Van Zanen moved to approve the license application and grant the PA a license.

SECOND: Dr. McCalla

When asked, PA Gupta stated that he did not answer questions #3 and #4 in the affirmative because he did not believe it applied to academic probation. In relation to question #4, PA Gupta stated that after the prior incidents were investigated by the school and closed after finding no fault on his part, he was told that the incidents should be treated as if they had never happened. He added that he was not asked the same type of questions on his Iowa and Wisconsin applications. Board members agreed that the application question was not clear as to which type of probation to disclose, and instructed Board staff to clarify the license application question by including academic probation.

VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse, 2-absent.

MOTION PASSED.

MOTION: Dr. Finch moved to adjourn the meeting.

SECOND: PA Whitfield

VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse, 2-absent.

MOTION PASSED.

The meeting adjourned at 3:38 p.m.



C. Lloyd Vest, II, Executive Director