



Arizona Regulatory Board of Physician Assistants

9545 East Doubletree Ranch Road • Scottsdale, Arizona 85258-5514
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DRAFT MINUTES FOR REGULAR SESSION MEETING Held on Wednesday, November 28, 2012 9535 E. Doubletree Ranch Road - Scottsdale, Arizona 85258

Board Members

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

CALL TO ORDER

PA Hoffa called the meeting to order at 1:00 p.m.

ROLL CALL

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

CALL TO THE PUBLIC

FORMAL INTERVIEW

NO.	CASE NO.	PHYSICIAN ASSISTANT	LIC. #	RESOLUTION
1.	PA-11-0127A	TAMMY L. HANKINS, P.A.	2228	Draft Findings of Fact, Conclusions of Law and Order for a Letter of Reprimand, Probation, and Practice Restriction. The Probation shall include a requirement that PA Hankins attend a Board pre-approved intensive, in-person CME (15-20 hours) course in prescribing and complete (15-20 hours) of Category I CME in an in-person professional boundaries course within 12 months. The CME hours shall be in addition to the hours required for license renewal. PA Hankins shall be prohibited from prescribing any controlled substances until completion of both CME courses. The Probation shall terminate upon successful completion of the CME courses.

MOTION: PA Hoffa moved to refer the case to the Office of Administrative Hearings for a Formal Hearing.

SECOND: Mr. Van Zanen

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

VOTE: 2-yay, 6-nay, 0-abstain, 0-recuse, 1-absent.

MOTION FAILED.

MOTION: PA Hoffa moved for a finding of unprofessional conduct in violation of A.R.S. §32-2501(18)(a) – Violation of any federal or state law or rule that applies to the performance of health care tasks as a physician assistant, with corresponding A.R.S. §32-2532B; A.R.S. §32-2501(18)(c) – Performing health care tasks that have not been delegated by the supervising physician; A.R.S. §32-2501(i) – Prescribing or dispensing controlled substances or prescription-only drugs for which the physician assistant is not approved or in excess of the amount authorized pursuant to this chapter; 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; A.R.S. §32-2501(18)(p) – Failing or refusing to maintain adequate medical records on a patient; and A.R.S. §32-2501(18)(z) – Failing to furnish legally requested information to the board or its investigator in a timely manner.

SECOND: Ms. Crevier

MOTION: Ms. Crevier moved to amend the original motion by striking the violation of A.R.S. §32-2501(18)(c).

SECOND: PA Whitfield

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

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

MOTION PASSED.

MOTION: PA Spiegel moved to amend the original motion by striking the violation of A.R.S. §32-2501(21)(z).

SECOND: Dr. Ward

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

VOTE: 3-yay, 5-nay, 0-abstain, 0-recuse, 1-absent.

MOTION FAILED.

AMENDED MOTION: PA Hoffa moved for a finding of unprofessional conduct in violation of A.R.S. §32-2501(18)(a) – Violation of any federal or state law or rule that applies to the performance of health care tasks as a physician assistant, with corresponding A.R.S. §32-2532B; A.R.S. §32-2501(i) – Prescribing or dispensing controlled substances or prescription-only drugs for which the physician assistant is not approved or in excess of the amount authorized pursuant to this chapter; 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; A.R.S. §32-2501(18)(p) – Failing or refusing to maintain adequate medical records on a patient; and A.R.S. §32-2501(18)(z) – Failing to furnish legally requested information to the board or its investigator in a timely manner.

SECOND: Ms. Crevier

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

VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.

MOTION PASSED.

MOTION: PA Hoffa moved for a draft Findings of Fact, Conclusions of Law and Order for a Letter of Reprimand, Probation, and Practice Restriction. PA Hankins shall be prohibited from prescribing any controlled substances for a period of five years. The Probation shall include a requirement that PA Hankins attend an intensive, in-person CME course in prescribing prior to the termination of her Practice Restriction.

SECOND: Dr. McCalla

MOTION: Ms. Crevier moved to amend the original motion by adding a requirement that the PA complete 15-20 hours of Board staff pre-approved Category I CME in boundaries within six months.

SECOND: Dr. McCalla

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

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

MOTION PASSED.

MOTION: Dr. Ward moved to amend the original motion by eliminating the five year prohibition of prescribing controlled substances.

SECOND: PA Whitfield

Dr. Ward withdrew her motion.

MOTION: Dr. Ward moved to amend the original motion by striking the language regarding the five year practice restriction and adding that the PA shall be prohibited from prescribing any controlled substances until completion of the required CME.

SECOND: PA Liechty

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

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

MOTION PASSED.

MOTION: PA Liechty moved to modify the original motion by extending the time limit from 6 months to 12 months for the PA to complete the CME requirement.

SECOND: PA Whitfield

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

VOTE: 5-yay, 3-nay, 0-abstain, 0-recuse, 1-absent.

MOTION PASSED.

MOTION: PA Hoffa moved to amend the original motion to include that the Probation shall terminate up on the PA's successful completion of the CME.

SECOND: Dr. McCalla

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

VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.

MOTION PASSED.

AMENDED MOTION: PA Hoffa moved for a draft Findings of Fact, Conclusions of Law and Order for a Letter of Reprimand, Probation, and Practice Restriction. The Probation shall include a requirement that PA Hankins attend a Board pre-approved intensive, in-person CME (15-20 hours) course in prescribing and complete (15-20 hours) of Category I CME in an in-person professional boundaries course within 12 months. The CME hours shall be in addition to the hours required for license renewal. PA Hankins shall be prohibited from prescribing any controlled substances until completion of both CME courses. The Probation shall terminate upon successful completion of the CME courses.

SECOND: Dr. McCalla

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

VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.

MOTION PASSED.

NON-TIME SPECIFIC ITEMS

EXECUTIVE DIRECTOR'S REPORT

Lisa S. Wynn, Executive Director, presented her report to the Board.

CHAIR'S REPORT

PA Hoffa presented his report to the Board.

APPROVAL OF ANNUAL FEES

MOTION: Mr. Van Zanen moved to approve the annual fees.

SECOND: Dr. Ward

VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.

MOTION PASSED.

APPROVAL OF MINUTES

MOTION: PA Spiegel moved to modify and approve the August 29, 2012 Regular Session Meeting by correcting PA Whitfield's professional title.

SECOND: Ms. Crevier

VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.

MOTION PASSED.

ADVISORY LETTERS

MOTION: PA Hoffa moved to issue an Advisory Letter for item numbers 1 and 2.

SECOND: Dr. Ward

VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.

MOTION PASSED.

NO.	CASE NO.	PHYSICIAN ASSISTANT	LIC. #	RESOLUTION
1.	PA-12-0038A	RUSSELL A. NICOLL, P.A.	2565	Issue an Advisory Letter for dictating an inaccurate emergency room progress note. This matter does not rise to the level of discipline.
2.	PA-12-0029A	SHANTALA MASK, P.A.	2911	Issue an Advisory Letter for prescribing an antibiotic to which the patient was allergic. This matter does not rise to the level of discipline.
3.	PA-12-0024A	STEFAN IACOB, P.A.	3467	Issue an Advisory Letter for an unnecessary prescription of antibiotics.

NO.	CASE NO.	PHYSICIAN ASSISTANT	LIC. #	RESOLUTION
				This matter does not rise to the level of discipline.

PA Spiegel was recused from this case.

MOTION: PA Hoffa moved to issue an Advisory Letter for an unnecessary prescription of antibiotics. This matter does not rise to the level of discipline.

SECOND: PA Whitfield

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

MOTION PASSED.

REVIEW OF EXECUTIVE DIRECTOR DISMISSALS

NO.	CASE NO.	PHYSICIAN ASSISTANT	LIC. #	RESOLUTION
1.	PA-11-0123A	DAVID M. MUMMA, P.A.	3310	Uphold the dismissal.
2.	PA-11-0123B	CHRISTINE M. SUSURAS, P.A.	2743	Uphold the dismissal.

PA Hoffa was recused from Review of Executive Director Dismissals 1 and 2.

MOTION: Ms. Crevier moved to uphold the dismissal in Review of Executive Director Dismissals 1 and 2.

SECOND: Dr. Ward

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

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

MOTION PASSED.

OTHER BUSINESS

NO.	CASE NO.	PHYSICIAN ASSISTANT	LIC. #	RESOLUTION
1.	PA-12-0019A	PETER N. KANKAKA, P.A.	4285	Approve the Draft Findings of Fact, Conclusions of Law and Order for a Letter of Reprimand with One Year Probation. Within one year, PA Kankaka shall obtain 15-20 hours of Board staff pre-approved Category I CME in the interpretation of EKGs and treatment of cardiac issues. The CME hours shall be in addition to the hours required for license renewal. The Probation shall terminate upon successful completion of the CME.

MOTION: PA Whitfield moved to approve the draft Findings of Fact, Conclusions of Law and Order for a Letter of Reprimand with One Year Probation. Within one year, PA Kankaka shall obtain 15-20 hours of Board staff pre-approved Category I CME in the interpretation of EKGs and treatment of cardiac issues. The CME hours shall be in addition to the hours required for license renewal. The Probation shall terminate upon successful completion of the CME.

SECOND: PA Liechty

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

VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.

MOTION PASSED.

NO.	CASE NO.	PHYSICIAN ASSISTANT	LIC. #	RESOLUTION
2.	PA-12-0025A	MARK A. THIELE, P.A.	4659	Accept the proposed Consent Agreement for a Letter of Reprimand and Five Year Probation to participate in the Board's Physician Health Program (PHP). PA Thiele's PHP participation shall be retroactive to July 18, 2012.

MOTION: PA Hoffa moved to accept the proposed Consent Agreement for a Letter of Reprimand and Five Year Probation to participate in the Board's Physician Health Program (PHP). PA Thiele's PHP participation shall be retroactive to July 18, 2012.

SECOND: Ms. Crevier

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

VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.

MOTION PASSED.

NO.	CASE NO.	PHYSICIAN ASSISTANT	LIC. #	RESOLUTION
3.	PA-12-0041A	ERIN L. MOFFETT, P.A.	3787	Accept the proposed Consent Agreement for a Letter of Reprimand and Five Year Probation to participate in PHP.

MOTION: PA Hoffa moved to accept the proposed Consent Agreement for a Letter of Reprimand and Five Year Probation to participate in PHP.

SECOND: PA Whitfield

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

VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.

MOTION PASSED.

MOTION: Ms. Crevier moved for adjournment.

SECOND: Dr. McCalla

VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.

MOTION PASSED.

The meeting adjourned at 3:55 p.m.



Lisa S. Wynn, Executive Director