



Arizona Regulatory Board of Physician Assistants

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FINAL MINUTES FOR THE JOINT LEGISLATION AND RULES COMMITTEE TELECONFERENCE MEETING Scheduled to be held at 3:00 p.m. on Monday, September 25, 2017 9545 E. Doubletree Ranch Road • Scottsdale, Arizona

Subcommittee Members

Randy D. Danielsen, PhD, P.A., D.F.A.A.P.A. Chair
Sheldon G. Liechty, P.A.-C
Jacqueline J. Spiegel, M.S., P.A.-C, D.F.A.A.P.A.

Monday, September 25, 2017

A. CALL TO ORDER

Chairman Danielsen called the meeting to order at 3:07 p.m.

B. ROLL CALL

The following Committee member was present: Dr. Danielsen. The following Committee members participated telephonically: PA Liechty and PA Spiegel.

ALSO PRESENT

Carrie Smith, AAG (telephonically); Patricia E. McSorley, Kristina Fredericksen, Deputy Director; Mary Bober, Board Operations Manager; and Michelle Robles, Board Coordinator

C. CALL TO THE PUBLIC

No individuals addressed the Board during the Public Statements portion of the meeting.

D. REVIEW, DISCUSSION, AND POSSIBLE ACTION REGARDING ARBoPA POLICY AND LEGISLATION AGENDA

- Review, Discussion and Possible Recommendation Regarding Potential Legislative Action Items:
 - A.R.S. § 32-2532(B): elimination of the requirement for supervising physician's name on a physician assistant's prescriptions.

Dr. Danielsen noted that it may be more efficient to have the prescription contain the physician assistant's name only. PA Spiegel opined a benefit would be to eliminate the barrier of PA's ability to write a prescription by having to get the supervising physician's signature. Dr. Danielsen also noted that EMRs do not always allow the PA to put the supervising physician's name although the PA still has a supervising physician.

Ms. McSorley noted that a PA has the authority to write a prescription without the signature of the supervising physician.

MOTION: PA Spiegel moved to recommend that the Board propose a change to statute eliminating the requirement for a supervising physician's name to appear on a physician assistant's prescriptions.

SECOND: Dr. Danielsen.

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

MOTION PASSED.

- A.R.S. § 32-2532(D): eliminate of the requirement to obtain written permission of a supervising physician for refill of a controlled substance.

Dr. Danielsen noted that historically there is no way to ensure that the PA always obtains a supervising physician's permission as it is not always documented. PA Spiegel opined that if a PA is allowed to prescribe the medication then they should be able to decide when a refill is appropriate and stated that she does not see the value of requiring a supervising physician's permission for prescription refills.

MOTION: PA Spiegel moved to recommend that the Board propose a change to statute eliminating the requirement to obtain written permission of a supervising physician for refill of a controlled substance.

SECOND: Dr. Danielsen.

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

MOTION PASSED.

- A.R.S. § 32-2532(H): elimination of the requirement to receive all dispensed medications from supervising physician.

Dr. Danielsen noted that a PA can only order medications with the approval of a supervising physician and that this creates a barrier when needing to track down a physician when the PA is running a clinic. PA Spiegel noted it is counterproductive to allow the PA to prescribe and administer medication but not be allowed to order the medication.

MOTION: PA Spiegel moved to recommend that the Board propose a change to statute eliminating the requirement for a physician assistant to receive all dispensed medications from a supervising physician.

SECOND: Dr. Danielsen.

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

MOTION PASSED.

- A.R.S. § 32-2501(18)(d): Updating substance abuse definition consistent with new Medical Practice Act definition.

Dr. Danielsen opined that the PA Board's language for substance abuse should mirror the Arizona Medical Board's ("AMB") language.

Ms. Smith advised that the definition of unprofessional conduct for substance abuse language should be the similar since both Boards use the same Physician Health Program.

MOTION: Dr. Danielsen moved to recommend that the Board propose a change to the substance abuse statute to conform to the new AMB definition for substance abuse.

SECOND: PA Spiegel.

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

MOTION PASSED.

- Review, Discussion and Possible Recommendation Regarding Policy Issues:
 - Implementation of HB 2271(A.R.S. § 32-4303) Occupational licensing; military members.

Dr. Danielsen noted that this bill allows applicants who have had prior military service apply to licensing boards and request that training or experience be deemed to satisfy licensing requirements.

Ms. Smith noted that this Bill allows the Board to work in conjunction with the Department of Veterans Services access information regarding the applicant's military education, training or experience that is equivalent to the Board's licensure requirements. The statute allows the Board to engage in rulemaking, and the Board may consider either a rule identifying equivalencies or the process by which an applicant can request a waiver.

PA Spiegel commented on what the process would entail. Dr. Danielsen opined that the first step in addressing this issue is establishing a process before establishing equivalence.

PA Whitfield noted that a requirement for licensure in AZ is to have passed the NCCPA certification examination and to have graduated from an accredited program. Dr. Danielsen commented that he thought the better course would be to draft a rule establishing a process for requesting a waiver.

Dr. Danielsen directed Board staff to draft a process and possible rule for the committee's review and consideration.

- Implementation of HB 2290 (A.R.S. § 41-1093) Provisional licenses; criminal convictions.

Ms. Smith explained that the statute permits the Board to issue a provisional license to an applicant who has a criminal conviction who would otherwise qualify for licensure. The policy issue is whether or not the Board should create a new process for a provisional license for applicants with a criminal conviction or to allow applicants to continue through the current licensure process. Ms. Smith noted that an applicant is required to report a conviction on the license application and a current licensee is required by statute to report a conviction in a timely manner.

The Committee agreed that the current process for licensure is appropriate.

E. REVIEW, DISCUSSION AND POSSIBLE RECOMMENDATION REGARDING VOLUNTEER MEDICAL SERVICES SEPARATE FROM THE SUPERVISING PHYSICIAN

Ms. Smith stated that this is a policy decision for the Board and would require a statutory change.

Committee members commented that this may not be relevant to physician assistants. Ms. Smith noted that there is already a process in place for volunteer services.

F. REVIEW, DISCUSSION AND POSSIBLE RECOMMENDATION REGARDING A DELEGATION AGREEMENT WHEN A PRACTICE SUPPLIES A LOCUM TENENS PHYSICIAN

Dr. Danielsen noted that this arose from ASAPA regarding the requirement for a delegation agreement for a couple of weeks of locum tenens work. Dr. Danielsen noted that a delegation agreement is not hard to create.

Committee members agreed that a delegation agreement is required in the event of a locum tenens physician to protect all parties.

Ms. McSorley noted that the AMB infrequently issues locum tenens licenses.

G. ADJOURNMENT

MOTION: PA Liechty moved to adjourn the meeting.

SECOND: PA Spiegel.

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

MOTION PASSED.

The meeting adjourned at 4:09 p.m.


Patricia E. McSorley, Executive Director