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3 **Meeting Report**
4 **COUNCIL ON PHYSICIAN ASSISTANTS**
5 **Florida Board of Medicine**
6 **Marriott Orlando Airport**
7 **7499 Augusta National Drive**
8 **Orlando, FL 32822**
9 **(407) 851-9000**
10 **December 1, 2011**

11
12
13 **ROLL CALL:** 2:15 p.m. or soon thereafter

14
15 **Members Present:**

16 Jeffrey Hulley, PA-C, Chair
17 Gary Winchester, M.D.
18 Zachariah P. Zachariah, M.D.
19 Trina Espinola, M.D.

15 **Members Absent:**

Ronald Burns, D.O.

20
21 **Staff Present:**

22 Joy A. Tootle, JD, Executive Director
23 Ed Tellechea, Board Counsel
24 Nancy Murphy, Paralegal
25 Crystal Sanford, CPM, Program Operations Administrator

21 **Others Present:**

Cindy Green, American Court Reporting

26
27 **Tab 1: Approval of September 29, 2011 Meeting Report/Minutes**

28 A motion was made, seconded and carried unanimously to approve the minutes as written.

29
30 **Action taken:** minutes approved

31
32 **PERSONAL APPEARANCES**

33
34 **Tab 2: Raina Simone Spivack, P.A.**

35 Ms Spivack was present and represented by Allen Grossman, Esquire.

36
37 After discussion, a motion was made, seconded and carried unanimously to approve Ms.
38 Spivack for licensure.

39
40 **Action taken:** approved for licensure

41
42 **Tab 3: Robert W. Ciccarelli, P.A.**

43 Mr. Ciccarelli was not present nor was he represented by counsel.

44
45 Ms. Sanford read into the record an email received from Mr. Ciccarelli indicating that due
46 to employment and child care issues, he could not be present and requested his
47 appearance be postponed until the February Meeting.

1
2 A motion was made, seconded and carried unanimously to postpone the appearance until
3 the February Meeting at which time, Mr. Ciccarelli must appear.

4
5 **Action taken:** appearance postponed

6
7 **Tab 4: List of Full and Temporary Physician Assistant Licensees**

8 A motion was made, seconded and carried unanimously to ratify the list of full and
9 temporary physician assistant licenses for the period September 7, 2011 – November 8,
10 2011.

11
12 **Action taken:** licenses ratified

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14 **COUNCIL BUSINESS**

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16 **Tab 5: Legislative Discussion: HB 363 & SB 774 – Companion Bill to HB 363**

17 Dayne Alonso, President of the Florida Academy of Physician Assistants (FAPA) and
18 Juhan Mixon, Legislative Consultant for FAPA addressed the Council and presented their
19 bills.

20
21 Ms. Alonso explained the first part of the bill would place a PA member on the Board in lieu
22 of one of the Consumer Members making this change revenue neutral. She explained the
23 second part of the bill would delete the requirement for a prescribing PA license. Ms.
24 Alonso expressed that by having a PA on the Board, the PA could address issues of scope
25 of practice.

26
27 Dr. Zachariah expressed concern about other professions under the Board attempting to
28 get a position on the Board of Medicine.

29
30 Mr. Hulley reminded the Council that PA's practice medicine and Electrologists do not.

31
32 Dr. Espinola suggested the Council look at the numbers of each profession to get a better
33 perspective before making any decisions.

34
35 Ms. Sanford stated there are a little over 40,000 active physicians and approximately 6,000
36 PA's. She was unsure of the number of Electrologists.

37
38 Dr. Winchester asked if anyone knew if other state boards had PA's on the board.

39
40 Ms. Alonso said there were a couple of other states that had PA member on the board.

41
42 Dr. Winchester asked if the PA member would be reviewing only cases against a PA.

43
44 Mr. Mixon stated that was not how the bill was written but would entertain that suggestion if
45 the Council wanted that.

46
47 Dr. Winchester expressed concerns about quorum issues at the Board meeting. He
48 explained Consumer Members serve on the probable cause panel by statute and

1 eliminating one would overwhelm the other two Consumer Members who would then have
2 to cover all PCP meetings.

3
4 Ms. Tootle provided licensure statistics:
5 Anesthesiologist Assistants – 91 total (60 active)
6 Dieticians – 3600 (3100 active)
7 Electrologists – 1377 (1081 active)

8
9 Mr. Tellechea said if FAPA wants to move this bill, they should also address the statute
10 that requires a Consumer Member serve on the probable cause panel.

11
12 A motion was made to oppose the first part of the bill related to the PA member on the
13 Board. The motion failed for lack of a second.

14
15 A motion was made, seconded and carried unanimously to accept as information only.

16
17 **Action taken:** The bills were taken as informational items only.

18
19 **NEW BUSINESS**

20
21 Mr. Hulley asked the Council to discuss whether PA's can order controlled substances in
22 the hospital. He said in the past, the Council has always supported this position. He asked
23 Mr. Mixon if there was a bill to change this.

24
25 Mr. Mixon stated there was a bill, he believed, drafted by the Pharmacy Association to
26 correct definitions related to controlled substances. He said there is confusion between
27 prescribing and ordering in a hospital setting. He said FAPA would be working with them
28 on the bill.

29
30 Dr. Espinola stated PA's can order in a hospital setting but was unsure about ARNP's.

31
32 Mr. Tellechea confirmed the Board of Nursing's position that ARNP's can order controlled
33 substances in a hospital setting.

34
35 The Council members were in agreement that PA's can order controlled substances in a
36 hospital setting.

37
38 Ms. Alonso said she would forward FAPA's attorney's findings regarding the bill.

39
40 Staff was asked to present the information at the next meeting.

41
42 **Action taken:** none

43
44 **Tab 6: Rules 64B8-1.007, FAC (Forms, Inc), 64B8-30.003, FAC (Physician Assistant**
45 **Licensure – MD) and 64B15-6.003, FAC (Physician Assistant Licensure – DO)**

46
47 The Council, at the last meeting, approved a prescribing course from the Keiser University.
48 The PA licensure application (form DH-MQA 2000) and the application for PA prescribing
49 (form DH-MQA 2001) were updated to include the approved course. As a result, the rules

1 need to be updated to show the revision. The applications and corresponding rules were
2 presented for the Council's approval.

3
4 A motion was made, seconded and carried unanimously to approve the revised
5 applications and rules.

6
7 Mr. Tellechea asked the Council members if the changes to the rules will be likely to
8 directly or indirectly increase regulatory costs to any entity in excess of \$200,000 in the
9 aggregate in Florida within one year after the implementation of these rule amendments.

10
11 A motion was made, seconded and carried unanimously to find the rule amendments do
12 not directly or indirectly increase costs.

13
14 **Action taken:** forms and rules approved; no SERC required

15
16 **NEW BUSINESS**

17
18 Mr. Hulley explained PA's graduate, apply for a temporary license and if they fail the
19 PANCE, they can apply to keep the temporary license for up to three attempts at the
20 examination. However, if the PA graduates and takes the exam without applying for the
21 temporary license, then fails the PANCE, the PA cannot obtain a temporary license. Mr.
22 Hulley asked if that was correct and if there was anything that could be done to change
23 that.

24
25 Mr. Tellechea suggested tabling this until the next meeting to allow time to research the
26 issue.

27
28 **Action taken:** tabled until next meeting

29
30 The meeting adjourned at 3:06 p.m.