



**TENNESSEE BOARD OF
PHYSICIAN ASSISTANTS
REGULAR BOARD MEETING**

October 21, 2022

MINUTES

The regular meeting of the Tennessee Board of Physician Assistants (hereinafter, "the Board") was called to order on October 21, 2022, at 9:16 a.m. in the Iris Room, Ground Floor, MetroCenter Complex, 665 Mainstream Drive Nashville, TN 37243.

Board Members Present: C. Marie Patterson, Chair, PA-C
Christina Free, Secretary, PA-C
Robert Kasper, MD
Andrew Hull, PA-C
Gregory Cain, PA-C
J. Seth Weathersby, PA-C
Robert White, PA-C

Board Members Absent: Barbara Thornton, Consumer Member
David Roberts, PA-C

Staff Present: Stacy Tarr, Executive Director
Candyce Wilson, Administrative Director
Tracy Alcock, Office of General Counsel
Dexter Hawkins, Administrative Assistant

The Chair, Ms. Patterson, called for a roll call of all members present.

I. CONSIDERATION OF APPLICATIONS

There was no consideration of applications for interviews.

II. APPROVAL OF MINUTES

Mr. Weathersby made a motion to accept the August 5, 2022, meeting minutes. The motion was seconded by Mr. Cain, and it passed.

III. DEPARTMENTAL REPORTS

Receive reports and/or requests from the Office of Investigations

Mr. Nolton presented the Board Statistical Complaint report. New complaints for PA's open are forty-six (46), total closed complaints are fifty-five (55), eight (8) closed due to insufficient findings, four (4) were transferred to the Office of General Counsel, thirty-seven (37) were closed with no action, five (5) received a letter of concern, and one (1) was sent a letter of warning.

Of those numbers listed above the following are in regard to which category they fall under: two (2) substance abuse, one (1) action in another state, seven (7) malpractice/negligence, nineteen (19) unprofessional conduct, one (1) violation of Board order, (2) medical records request, three (3) overprescribing, one (1) practice beyond the scope, one (1) prescribing to friends/family, eight (8) outside investigative scope, and one (1) related to covid-19.

Under Orthopedic PA's, there were no new complaints. There was one (1) case that was closed due to insufficient evidence.

Administrative Office

Ms. Stacy Tarr reported that the following activity regarding Physician Assistants transpired in the administrative office between August 1, 2022, and September 30, 2022

New Applications Received:

- Full licensure 140
- Temporary 2
- Upgrade to Full 2
- OPA Full Licensure 0

Total New Licenses Issued:	90
Total Number of Renewals:	228
Total Number of Online Renewals:	212
Average Renewals Online:	92%
Total Number of Reinstatements	8

As of September 2022, the total number of active Physician Assistant licenses is 3,340. Of those licensees, 2,769 have a Tennessee mailing address. The total number of Orthopedic Physician Assistant licensees as of September 30, 2022, is 10.

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Financial Report

Ms. Alicia Grice would conduct the financial report. The fiscal year ending June 30, 2022, reports that most revenue comes from applications. The request from CSMD would be additional money displayed on the report because this report indicates past money approved; the CSMD would be reflective over the next two years. After all, the ask is for a calendar year, equating to two fiscal years. Discussion of changing fees was discussed; however, Ms. Grice is not currently recommending changing fees, but it is something she will keep in mind for future reference. Per Ms. Grice, they are not close to the two times a-three-year average target.

Report from the Office of General Counsel by Tracy Alcock, Advisory Attorney

Ms. Tracy Alcock would begin by reinforming the Board about the conflict of interest previously discussed. Ms. Alcock reminds the Board that she is working with Ms. Free on the PA regulations and discussing the legislation that requires us to examine such regulations. Ms. Alcock will review all the rules for the Board. Ms. Alcock and Ms. Free will employ Esper and obtain training and decide if the law supports all the rules and if they are needed and propose changes as needed. Ms. Alcock will examine the Board's policies to ensure they all correspond with current law, and she will present to the Board as required for modifications. There are (7) seven open cases currently. An overprescribing trial is coming in 2023 in which the board members can break into a panel of three to sit on the trial. Lastly, Ms. Alcock reminded the Board about the PC949 and PC1061.

IV. NEW BUSINESS

Ratification of New Licenses

Mr. Cain motioned made the motion to approve all licenses. Mr. Weathersby seconded the motion and it passed.

Request For Proposal Process

Ms. Melissa Painter was not available to appear in front of the Board. The proposed RFP process could take over one year to obtain a contract if the Board wanted an outside consultant. If the Board decides they would like to hire an outside consultant, the Board will need to develop a scope on what the consultant's duties would consist of. Additionally, the Board would need to decide how much-said consultant would get paid. If the Board decides to hire a consultant, the contract could be between three and five years. Consultants would bid for the proposed contract.

Mr. Weathersby requested to receive an email notification that there is a graduation season coming and there will be more files to review. Ms. Katherine Moffat, Executive Director of TAPA, joined in the conversation and stated, "May, August, and December are the graduation months for the PAs. The Board concluded the discussion by agreeing to continue the current process as consultants.

Renewal Application of Jennifer, Carroll, PA

Ms. Jennifer Carroll submitted a renewal application as her license expired on 8/31/22; when answering the questionnaire part, she answered yes to being in poor physical and/or mental health. She presented administrators with an explanation stating that she has had continued issues with her health post covid. Ms. Carroll additionally provided a letter of recommendation, saying that she has been proactive in her care, and they are hopeful she will be able to return to work as a PA in Spring 2023. Ms. Carroll could not make the board meeting; thus, she requested to be called by phone if the Board had any questions.

Ms. Tracy Alcock informed the Board that you could deny the renewal; however, it would be public discipline. No evidence was presented to insinuate that Ms. Carroll has practiced poorly and with bad conduct. The basis of the denial of Ms. Carroll's renewal application would have to be if she was practicing while mentally and physically impaired, and the Board does not have any evidence of such incidents. Upon further discussion, the Board and the other parties involved looked at alternatives, such as letting Ms. Carroll's license lapse or retiring the license. The Board consensus is that they don't have current proof that she is in the clear to practice.

The Board requested to call the licensee for questions to clarify Ms. Carroll's information. Mrs. Stacy Tarr called Ms. Carroll and informed her that she could speak to the Board. Upon answering the phone, Ms. Carroll explained her situation, beginning with her history as a PA for fourteen years in Tennessee and North Carolina. Ms. Carroll explained that she contracted covid on 12/31/21, in which she developed long haul COVID, which gave her a lot of symptoms such as migraines, weakness, fatigue, and neuro cardiac system issues. Eventually, her mother would travel to Tennessee to be her caregiver over the last ten months.

According to Ms. Carroll, she has been aggressively trying to get better but does not plan to work until her health improves. Ms. Carroll explained that she would likely start working slowly and increase her hours until her doctors give her the full clearance to

work full-time again. The administrative staff and Ms. Alcock explained the process of retiring and reinstating her license in the future. Ms. Carroll agreed to retire her license. Mrs. Stacy Tarr assured Ms. Carroll that she would reach out to her after the meeting on how to retire her license and process her refund.

Letter of Recommendation Regarding Initial Applications

The administrative staff has currently been requesting that LORs come from an MD, DO, or PA. Ms. Stacy Tarr asked the Board to review their rules and discuss what they expect, as the current rule states the letters are from a “medical professional.” Rule 1130-01-.05(1)(e) Ms. Moffat would join the conversation and that state that a “medical professional” is only an MD, DO, and PA per statute.

Mr. Weathersby would motion for the amendment of the current application with instructions on letters of rec to be an MD, DO, or PA. Mr. Hull seconded the motion, and the motion passed.

The Board requested Ms. Tracy Alcock to amend the rules to interpret “medical professional” as an MD, DO, and PA and to revise the rule to clarify that “medical professional” is an MD, DO, and PA.

V. PRESENTATION FROM DR. PETER PHILLIPS, TDOH CSMD DIRECTOR

Dr. Phillips provided an update of the CSMD Gateway Services Extension and the Enhanced Prescriber Report. He showed a tutorial on how a licensee would use the database. The Board was asked to approve a two-year funding request, with a total of \$105,823.23, from their carryover funds to support the Gateway Project. Funding is being requested from all prescribing Boards, except for the Veterinary Board, and at an allocation percentage based on each Boards licensed prescribers. The Board asked several questions on the functionality of the system and requested information on how other Boards are responding to this ask. The Board would like feedback on how other Boards are responding and if other Boards are approving use of their carry over funds for this project. If the funding is not approved, the CSMD staff will soon need to alert active users, of the system, that they may have to set up their own methods of payment to continue accessing.

Mr. Cain would motion to approve the CSMD Gateway Services Extension and the Enhanced Prescriber Report, and Hull would second that motion. Mr. Kasper abstained, while Roberts opposed. The motion for the funding passed.

VI. APPROVAL OF AGREED CITATIONS

There were no citations for approval.

Public Comment – None

The meeting adjourned at 11:41pm.

These meeting minutes were ratified by the Board at their January 6, 2023, meeting.