



**TENNESSEE COMMITTEE OF MEDICAL EXAMINERS'
COMMITTEE ON PHYSICIAN ASSISTANTS
Regular Committee Meeting**

April 3, 2020

MINUTES

The regular meeting of the Tennessee Committee of Medical Examiners' Committee on Physician Assistants (hereinafter, the Committee") was called to order at 9:00 a.m. in the Poplar Room, Ground Floor, Metro Center Complex, 665 Mainstream Drive, Nashville, Tennessee 37243 by Mr. Bret Reeves.

Members Present:

Bret Reeves, PA-C
Gregory Cain, PA-C
Christina Free, PA-C
Barbara Thornton, Consumer Member
Marie Patterson, PA-C
Gary Tauxe, OPA-C

Staff Present:

Rene Saunders, MD, Medical Consultant
Angela Lawrence, Executive Director
Stacy Tarr, Administrative Director
Tracy Alcock, Senior Associate General Counsel
Orlanda Folston, Committee Administrator

Ms. Angela Lawrence made opening remarks and provided an overview of the requirements for a special teleconference. Ms. Lawrence explained how the meeting would be conducted and requested a motion and a roll call vote, Mr. Cain made a motion and Mr. Bret Reeves seconded the motion. A roll call vote was taken, the motion passed. Ms. Lawrence explained the purpose of the meeting and requested a motion and a roll call vote, Mr. Cain made a motion and Mr. Bret Reeves seconded the motion. The motion passed. Ms. Lawrence explained the requirements of the meeting and requested a motion and a roll call vote. Mr. Reeves made a motion, Ms Patterson seconded the motion. The motion passed. All Committee Members had received the board materials. The teleconference was then turned over to Mr. Reeves.

APPROVAL OF MINUTES

The Committee reviewed the minutes from the January 10, 2020 regular meeting and Ms. Thornton made a motion to approve the minutes as presented. Ms. Patterson seconded the motion. The motion passed.

CONDUCT NEW BUSINESS

Ratification of PA Licenses

Ms. Patterson motioned to ratify the new and reinstated licenses. Mr. Cain seconded the motion and the motion passed.

Discussion Regarding Applications with Criminal Convictions

Ms. Tracy Alcock presented the Policy regarding application with Criminal Convictions Draft. A motion was made by Ms. Thornton to accept the draft as written. Ms. Free seconded the motion. The motion passed.

OFFICE OF GENERAL COUNSEL

Consent Order

Kristen Ann Jensen, PA – Ms. Kristen Jensen was not present. Ms. Alcock presented on behalf of the Office of General Counsel (hereinafter, “OGC”). Ms. Jensen was licensed on November 2, 2010 and the expiration was January 31, 2020. On or about August 1, 2018, a Consent Order became final in which Ms. Jensen agreed to violations of the Tennessee Physician Assistant Act. Ms. Jensen agreed to have her PA license placed on suspension and to undergo a professional assistance program evaluation and abide by any terms recommended by the program, including maintain its advocacy. On or about July 31, 2019, the Agreed Order became final, the suspension of Respondent’s PA license was lifted and the license was placed on probation for a period of no less than five years to run concurrent with the monitoring contract with the Tennessee Medical Foundation (“TMF”) with which she was to maintain 100% compliance. On or about October 14, 2019, TMF notified the Department that it could no longer advocate for Ms. Jensen due to her relapsing in or around October 2019 and her failure to maintain TMF advocacy, Ms. Jensen has violated her Board order. Ms. Jensen has agreed to voluntarily surrender her license. Ms. Jensen will pay the cost of the case (The maximum amount for the assessment of costs shall be Five Thousand Dollars) and this formal disciplinary action will be reported to the National Practitioner Data Bank (N.P.D.B.). Ms. Thornton made a motion to accept, Mr. Reeves seconded and the motion passed.

Order of Compliance

Marlaine Martin, PA –

Ms. Marlaine Martin filed the petition for order of compliance just before the January meeting of this Committee. Unfortunately, due to the timing, it was unable to be added to the agenda. Ms. Martin had a trial in July 2019. Tracy Alcock represented the State. Ms. Alcock directed the

Committee to Ms. Martin's petition packet: Ms. Alcock explained the contents of the packet: Page 1 is Ms. Martin's actual Petition for Order of Compliance. The next page is the Affidavit by Ms. Lori Leonard, the Disciplinary Coordinator. Ms. Leonard monitored Ms. Martin's compliance and determined that Ms. Martin complied with the ordered requirements while under suspension and testifies to that fact. The next section is the Final Order including Conclusions of Law. The Final Order discusses the facts of the case as determined by the Committee as well as the discipline levied by the Committee. The discipline included suspension of her license and payment of civil penalties. She asked that the Committee note nos. 20 and 21 under Section IV. Order: "Prior to the lifting of the suspension on Respondent's physician assistant license, Respondent must undergo an evaluation approved by the Tennessee Medical Foundation (TMF) and comply with the recommendations of said evaluation...". After undergoing an evaluation approved by the Tennessee Medical Foundation and complying with the recommendation of said evaluation, Respondent may appear before this Committee to seek removal of the suspension on her physician assistant license. At the time the suspension is lifted, this Committee may impose additional restrictions and/or discipline on the Respondent's physician assistant license". Ms. Alcock then asked the Committee to review the letter from Tennessee Medical Foundation dated January 15, 2020. This letter confirms Ms. Martin's advocacy with the Tennessee Medical Foundation and her compliance with the requirements of her monitoring contract.

Ms. Alcock stated that, in her opinion, Ms. Martin is in compliance and is eligible to have her suspension lifted. Ms. Alcock stated that, since the Committee has the ability to impose additional restrictions and/or discipline on Ms. Martin's license, that a requirement to abide by the terms of the TMF agreement for the five-year period of the agreement. This can be done by probation or it can be added to the Order of Compliance.

Ms. Alcock then gave Ms. Martin a chance to address the Committee. She gave an overview of what had transpired since the imposition of her suspension. She feels that she is in a much better place at this point as a result of the suspension. She is anxious to get back to work and open to any additional discipline imposed by the Committee.

The Committee, Ms. Alcock, and Dr. Saunders discussed the options presented by Ms. Alcock at length. After initial discussion, Mr. Cain made a motion to lift suspension on Ms. Martin's license and impose a three-year probation and that (1) she must maintain TMF advocacy through the probation and (2) provide practice monitoring semi-annual reports by supervising MD attesting to her continuing competency. Ms. Thornton seconded the motion. Discussion continued. Ms. Thornton suggested an amendment regarding the length of the probationary conditions to five years. After discussion of both a three and five year probationary period, a motion was made by Mr. Cain to amend his motion to impose a five year probation, maintain TMF advocacy through the probation, and provide practice monitoring semiannual reports by supervising MD for a period of five years. At the end of the five years, she will appear before the Committee for a petition of order of compliance. Ms. Thornton seconded the motion. Ms. Patterson asked that the wording "supervising" physician be changed to "collaborating" physician. Her request was duly noted. Ms. Alcock added that the outcome of this discussion is ultimately an Order of Modification, not an Order of Compliance. The Committee continued discussion specifically regarding prescribing restrictions. It was ultimately decided that no

prescribing restrictions would be added to the motion. A roll call vote was taken. The motion, as amended, passed.

Ms. Thornton made a motion to adjourn the motion was seconded by Ms. Patterson and the meeting was adjourned.