



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

**July 21, 2023**

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**MINUTES**

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The regular meeting of the Tennessee Board of Physician Assistants (hereinafter, "the Board") was called to order on July 21, 2023, at 9:00 a.m. in the Iris Room, Ground Floor, Metro Center Complex, 665 Mainstream Drive Nashville, TN 37243.

Board Members Present:            Robert Kasper, MD  
   Andrew Hull, PA-C  
   Robert White, PA-C  
   Barbara Thornton, Consumer Member  
   David Roberts, PA-C  
   J. Seth Weathersby, PA-C

Board Members Absent:            C. Marie Patterson, Chair, PA-C  
   Gregory Cain, PA-C  
   Christina Free, Secretary, PA-C

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

## **I. APPOINTMENT OF ACTING CHAIR**

David Roberts initiated a motion to appoint Robert White as the acting chair, a proposal that was supported by Seth Weathersby. The board approved this motion.

## **II. CONSIDERATION OF APPLICATIONS**

### **Michael Stewart**

Mr. Stewart appeared before the board to address a drug test failure that occurred during his service in the U.S Army in 2022. He conveyed his comprehension of the consequences of his actions and assured the board of his learning and growth since the incident. Subsequently, he scheduled a meeting with the Tennessee Medical Foundation and consented to a five-year monitoring regime under Dr. Baron. Dr. Baron expressed his full endorsement of Mr. Stewart's pursuit of a PA license. Following a discussion between the board and Ms. Alcock regarding the category of license to be granted, the board resolved to grant a full license without any disciplinary measures. The motion to grant Mr. Stewart a full license was put forward by Mr. Weathersby and seconded by Dr. Kasper. The board approved this motion.

## **III. APPROVAL OF MINUTES**

Mr. Weathersby proposed a motion to accept the minutes from the meeting held on April 21, 2023. This motion was seconded by Ms. Thornton and subsequently approved by the board.

Similarly, Mr. Hull initiated a motion to accept the minutes of the Allen Tate Trial meeting that took place on April 21, 2023. Mr. Weathersby seconded this motion, which was approved by the board.

## **IV. 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 Twenty-nine (29), total closed complaints are twenty-six (26), one (1) closed due to insufficient findings, seventeen (17) were closed with no action, one (5) received a letter of concern, and one (1) was sent a letter of warning.

Of those numbers listed above the following are regarding which category they fall under: one (1) substance abuse, one (1) sexual misconduct, three (3) malpractice/negligence, eighteen (18) unprofessional conduct, one (1) violation of Board order, two (2) overprescribing, and two (2) outside the investigative scope.

Under Orthopedic PA's, there were no new complaints.

## **Administrative Office**

Ms. Stacy Tarr reported that the following activity regarding Physician Assistants transpired in the administrative office between April 1, 2023, and June 30, 2023.

### **New Applications Received:**

- Full licensure 100
- Temporary 2
- Upgrade to Full 1
- OPA Full Licensure 1

Total New Licenses Issued:	100
Total Number of Renewals:	344
Total Number of Online Renewals:	318
Average Renewals Online:	92%
Total Number of Reinstatements	7

As of June 30, 2023, the total number of active Physician Assistant licenses is 3,612. Of those licensees, 3,003 have a Tennessee mailing address. The total number of Orthopedic Physician Assistant licensees as of March 31, 2023, is 9

## **Legislative Update**

Ms. Ellen Gose with the Office of Legislative Affairs gave the 2023 legislative update.

### **V. NEW BUSINESS**

#### **Discuss and Consider Amending Current CME Policy**

The board deliberated on the current CME policy, considering an amendment to permit Physician Assistants to have a deficiency of up to five hours without disciplinary action. Mr. Hull put forward a motion to amend the policy accordingly, which was seconded by Ms. Thornton. The board approved this motion.

#### **Redline Of Rules**

Ms. Alcock reviewed the redline of the regulations, leading to a decision to separate the OPA rules. Mr. Hull proposed a motion to assign one board member, Ms. Free, to aid in the finalization of these rules. This motion was seconded by both Mr. White and Mr. Roberts and was approved by the board.

## **Ratification of New Licenses**

Mr. Roberts initiated a motion to approve all licenses, which was seconded by Ms. Thornton. The board approved this motion.

### **VI. APPROVAL OF AGREED CITATIONS**

There were no citations for approval.

### **VII. OFFICE OF GENERAL COUNSEL AND PRESENTATION OF DISCIPLINARY ORDERS**

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

Ms. Tracy Alcock would begin by informing the Board about the conflict-of-interest document they needed to sign at the beginning of the year. Ms. Alcock reminds the Board that she is working to change the rules for the PA board. Ms. Alcock will examine the Board's policies to ensure they correspond with current law. As of July 2023, the Office of General Counsel has six (6) open cases pertaining to physician assistants. Ms. Alcock explain legislation that has passed which are as followed.

**Public Chapter 300:** As introduced, requires governmental entities to provide a period of public comment for public meetings; authorizes the governmental entities to place reasonable restrictions on the period for public comment.

**Public Chapter 316:** As introduced, requires an appointed member of a governing body for a state entity to serve in such capacity until the member's successor is duly appointed and qualified; authorizes the removal of such member by the member's appointing authority with or without cause; removes term limits for members of the advisory council on state procurement.

**Public Chapter 1:** This law passed on February 23, 2023, which is a prohibition on performing or assisting with gender conversion in minors. A violation of this legislation is grounds for emergency action.

**Public Chapter 107:** This law passed on March 20, 2023, As introduced, allows the practice of physical therapy to be under the written or oral referral of a nurse practitioner or physician assistant; removes certain minimum education requirements to engage in the independent practice of physical therapy.

**Public Chapter 949:** This law passed in April 2022, which allowed for A physician assistant licensed to prescribe drugs under this subdivision (2), may arrange for up to ten (10) of the required annual remote site visits by a collaborating physician by HIPAA-compliant electronic means rather than at the site of the clinic. BME Prescription Writer Rules will need amendments, and PA rules may need amendments.

## **Petition For Order(s) of Compliance**

### **1. Crystal McKiddy PA, 2075**

The Board of Medical Examiners' Committee on Physician Assistants received a Petition for Order of Compliance from Crystal McKiddy, P.A. The petition was filed in accordance with a

Consent Order approved by the Committee on April 9, 2021, and ratified by the Board of Medical Examiners on May 11, 2021. The Consent Order placed Crystal McKiddy's license on probation for a period of two years.

During the probationary period, Crystal McKiddy was required to fulfill certain obligations. She had to provide proof to the Committee that she notified any collaborating physician about the Order within 30 days of its entry and within 30 days of obtaining a new collaborating physician. Additionally, she was obligated to complete four medical courses within 60 days of the Order's entry or prior to its entry. The courses included "Forensic Child Abuse" offered by the Association of Family Practice PA's and NP's (AFPPANP), "Physical Child Abuse: Diagnostic Evaluation and Management" by Stephen C Boos, MD, FAAP (available on [www.UpToDate.com](http://www.UpToDate.com)), "Child Abuse: Evaluation and Diagnosis of Abusive Head Trauma in Infants and Children" by Cindy Christian, MD (available on [www.UpToDate.com](http://www.UpToDate.com)), and "Child Abuse: Epidemiology, Mechanisms, and Types of Abusive Head Trauma in Infants and Children" also by Cindy Christian, MD (available on [www.UpToDate.com](http://www.UpToDate.com)). Additionally, Crystal McKiddy was required to pay five Type "A" Civil Penalties, totaling \$3,750.00, and cover the actual and reasonable costs of prosecuting the case.

After reviewing the petition, the affidavit of the Disciplinary Coordinator, and the supporting evidence, including proof of notification to collaborating physicians, completion of the required courses, and payment of civil penalties and costs, the Board of Physician Assistants determined that Crystal McKiddy has satisfactorily complied with the requirements of the previous order. Therefore, the probation of Crystal McKiddy's physician assistant license should be lifted, and her license shall be placed in an unencumbered status. Mr. Roberts made a motion to accept the order of compliance, which was seconded by Dr. Kasper. The motion passed.

**Public Comment – None**

#### **VIII. TENNESSEE DEPARTMENT OF HEALTH V. ALLEN E. TATE, PA, DOCKET NO. 17.52-157254A**

##### **Oral Argument on Respondent's Motion to Stay Final Order**

In the case of the Tennessee Department of Health versus Allen E. Tate, PA, under Docket No. 17.52-157254A, Dr. Kasper formally recused himself due to a notable conflict of interest involving Mr. Allen Tate. Pertaining to the issue at hand regarding Mr. Tate's motion for stay, Mr. Hull proposed to reject the motion, a proposition that was seconded by Ms. Thornton. Upon voting, the motion was passed, thereby maintaining the status quo of Mr. Allen Tate's motion.

Ms. Thornton initiated a motion to conclude the meeting, a motion that was supported by Mr. Hull and passed by a majority vote. The meeting was, therefore, adjourned as proposed.

The meeting adjourned at 10:58am.

These meeting minutes were ratified by the Board at their October 13, 2023, meeting.