

**NEW JERSEY BOARD OF MEDICAL EXAMINERS
PHYSICIAN ASSISTANT ADVISORY COMMITTEE
HUDSON CONFERENCE ROOM, 6TH FLOOR**

**PUBLIC SESSION MINUTES
SEPTEMBER 16, 2005**

Final

The September meeting of the Physician Assistant Advisory Committee meeting was convened in accordance with its notice to the Secretary of State, Bergen Record, Trenton Times, Star Ledger and the Courier Post and was conducted in accordance with the provisions of the Open Meeting Act.

President Argast called the meeting to order at 9:00 A.M. A roll call was taken and the following attendance was recorded for these minutes.

PRESENT:

George Argast
Dr. Mary Ibrahim
Todd Newman
Jeffrey Maas
Claire O'Connell

Also in attendance: Debra Levine, Deputy Attorney General, Kathleen Griffith and Monica Carrington, Staff.

I. APPROVAL OF MINUTES

a. The Committee reviewed the Public Session Minutes for August 19, 2005. On a motion made and seconded, the Public Session Minutes were unanimously approved as submitted.

II. OLD BUSINESS

a. There were no items of old business.

III. NEW BUSINESS

a. ETHICS - Robert Campinelli, Ethics Liaison Officer of the Director's Office, spoke with the Committee members regarding duties as Committee Members, Event Attendance, Gifts and Favors, Confidentiality and Conduct.

b. The Committee reviewed a fax from Kimberly Sweet, PA-C, inquiring as to whether she can sign prescriptions even though her name/license number are not yet printed on the top of the Rx pads and whether the information should be written.

The Committee determined a letter be sent to Ms. Sweet advising that there is a format for the New Jersey Prescription Blanks for physician assistants; that she should have the prescription pads by now and must obtain prescription pads immediately which conform to the New Jersey Prescription Blank format. Ms. Sweet will be so advised.

c. The Committee reviewed a fax from Scott Druckman, D.O., Winslow Family Physicians, P.A., inquiring as to whether he can hire a physician assistant to be on the football field and the physician will be in constant communication with the physician assistant and available with a dedicated cell phone.

The Committee determined that based on the limited facts presented that so long as the physician assistant is not making any representation to the school that she or he is a physician and so long as the physician assistant properly identifies that he/she is a physician assistant, a physician assistant may work as so presented. Further, pursuant to N.J.A.C. 13:35-2B 4.(b) A licensee who has complied with the provisions of N.J.A.C. 13:35-2B.3 may perform the following procedures, provided the procedures are within the training and experience of both the supervising physician and the physician assistant, only when the supervising physician directs the licensee to perform the procedures or orders or prescribes the procedures or the procedures are specified in a written protocol approved by the Board.

Also, pursuant to N.J.A.C. 13:35-2B.10 (b) A physician assistant shall not render care unless the following conditions are met:

1. In an inpatient setting, the supervising physician physician-designee is continuously or intermittently present on-site with constant availability through electronic communications for consultation or recall;
2. In an outpatient setting, the supervising physician or physician-designee is constantly available through electronic communications for consultation or recall;

Dr. Druckman will be so advised.

d. The Committee reviewed a fax from and letter from Randall Lewis, M.D., stating that he and Cynthia Slater-Lewis, M.D., are opening a Medical Spa and inquiring as to whether physician assistants are allowed to perform the following procedures under the supervision of a physician: Botox injection, Sclerotherapy, Collagen/Restylane injection, Mesotherapy injection and Operation of an Intense Pulsed light (IPL) device for photorejuvenation therapy.

The Committee determined that based on the limited facts presented, consistent with the determination made by the Board of Medical Examiners, physician assistants may not perform laser treatments as these procedures are deemed the practice of medicine and may not be delegated to a nurse, or any other licensed healthcare professional other than a "physician". However, please be advised that the Board is further investigating this latter issue and obtaining opinions from appropriate expert professionals. If the Board promulgates a regulation in this regard in the future it will be noticed in the New Jersey Register. Drs. Lewis will be so advised.

e. The Committee reviewed a letter from Paul C. Mendelowitz, M. D., Senior VP, Medical Affairs and Chief Medical Officer, Holy Name Hospital, inquiring as to whether a physician assistant can operate fluoroscopy equipment. He stated that the current regulation requires that a physician must operate the equipment that initiates the exposure of a patient to radiation. He inquired whether a physician assistant operating under the direction of a physician, could initiate the radiation exposure. He further states that the current regulation N.J.A.C. 13:35-2B.4 does not address this explicitly, but it does grant physician assistants the privilege to perform other invasive procedures.

The Committee determined that the statutes and regulations for physician assistants licensure do not supersede the requirements for licensure as a radiologic technologist. A letter will be sent to Dr. Mendelowitz along with a copy of the letter from Anthony McMahon, Chief, of the Bureau of Radiologic Health, which may further clarify this matter. Dr. Mendelowitz will be so advised.

IV. REVIEW OF BOARD OF MEDICAL EXAMINERS MINUTES AND AGENDA

- a. July 13, 2005 Open Board Minutes of the Board of Medical Examiners has not been ratified. Upon ratification this will be placed on the agenda.
- b. July 13, 2005 Open Board Minutes-Disciplinary Matters of the Board of Medical Examiners has not been ratified. Upon ratification this will be placed on the agenda.
- c. The Committee reviewed the Open Board Agenda of the Board of Medical Examiners for September 14, 2005,

as informational.

d. The Committee reviewed the Open Board Agenda Disciplinary-Matters of the Board of Medical Examiners for September 14, 2005, as informational.

V. LICENSURE ACTION

a. The Committee reviewed the Summary Report for Licensure Action taken from August 13, 2005 to September 9, 2005, as informational.

VI. LEGISLATION/REGULATION

a. N. J. A. C. 13:35-2B.12 (DRAFT TWO) - Requirements for issuing prescriptions for medications; memorialization of verbal orders for CDS given by physicians. Deputy Director,

Anthony Miragliotta and Danielle Swenson, Regulatory Analyst reviewed (Draft Two) with the Committee. The Committee made several changes. A final copy will be presented at the October 21, 2005 meeting.

b. Proposed Readoption of N.J.A.C. 13:45C; Duty to Cooperate Regulations with amendments - The Attorney General considers the rules proposed for readoption and the proposed amendments necessary to preserve the health, safety and welfare of the public by requiring licensees to comply with investigations of their conduct, fitness or capacity to engage in a licensed profession or occupation and therefore, believes that the rules must be applied uniformly to all licensees regardless of the size of their businesses. The Committee reviewed N.J.A.C. 13:45C; Duty to Cooperate Regulations and supports its readoption.

VII. OTHER BUSINESS/FOR YOUR INFORMATION (FYI)

a. The Committee reviewed National Commission on Certification of Physician Assistants news (Summer 2005, Vol. 6 No. 2) Article regarding PANCE Cheating Investigation Results IN \$250,000, Judgment, as informational.

There being no other business to come before the Committee in Public Session, the Committee convened in Executive Session for the purpose of receiving counsel and to conduct two investigative inquiries.

The Committee reconvened in Public Session. An Executive Session meeting was tentatively scheduled for September 30, 2005 to complete application review, two matters of old business and two matters of new business. The next regular scheduled meeting is October 21, 2005. There being no other business to come before the Committee in Public Session the meeting was adjourned at 2:45 P.M..

Respectfully submitted,

Dorcas K. O'Neal
Executive Director