

PHYSICIAN ASSISTANT POLICY COMMITTEE MINUTES
May 9, 2006

The meeting was called to order at approximately 1:50 p.m. on Tuesday, May 9, 2006.

Committee members present: Robert Zaayer, P.A.-C.; John Jonesco, D.O.; Eugene Imbrogno, M.D.; Michael Bowen, P.A.-C.; and Anquetette Sloan.

Staff members present: Diann Thompson, Kay Rieve, Michael Miller, Sallie Debolt, and Cathy Hacker.

I. Review of the April 11, 2006 Minutes.

Mrs. Sloan moved to approve the April 11, 2006 minutes of the Physician Assistant Policy Committee. Mr. Bowen seconded the motion. All members voted aye. The motion carried.

II. Review of supplemental utilization plans

The committee began the meeting by discussing the supplemental utilization plan application from **Vascular & Endovascular Specialists of Ohio** that is requesting that their PA(s) be approved to perform: instillation of pharmacological agents for the purpose of sclerosis of varicose veins.

The committee noted that this procedure has been approved on several occasions with the same or similar training education and supervision.

Mrs. Sloan moved to approve this application. Mr. Bowen seconded the motion. All members voted aye. The motion carried.

The committee then discussed the supplemental utilization plan applications from **Joyesh Raj, M.D.** that are requesting that their PA(s) be approved to perform: restylane injections and botox injections.

Mr. Zaayer informed the committee that he had recently visited a medspa to see how these injections were done. He stated that the procedure took approximately 30 minutes and that a nurse was performing the injections. He further stated that the injection was done with a very small needle and that the injection site may experience some minor tingling and that the injection usually wore off within three to four months.

The committee noted that this procedure could cause facial disfiguring and that we had previously denied the botox injection. Dr. Imbrogno stated that he was

comfortable with the restylane injection, however he had reservations with the botox injection due to it being a toxin.

Mr. Bowen moved to approve these procedures. Dr. Imbrogno seconded the motion with the above reservation. Mrs. Sloan and Dr. Jonesco voted nay. Mr. Zaayer voted aye and broke the tie. The motion carried.

The committee discussed the supplemental utilization plan applications from **Timeless Skin Solutions** that are requesting that their PA(s) be approved to perform: use of blue and infrared light for acne and deep tissue heating, use of intense pulse light to remove unwanted hyperpigmentation and vascularity and use of 1064 laser for vein removal.

The committee noted that this procedure is prohibited by the light based medical device rule 4731-18-02(B).

Ms. Debolt provided a handout to the committee of a response to the Question “Does Ohio law permit individuals to practice low level laser therapy (LLLT)? The response, in short, reads Ohio law does not currently allow any individual not licensed as an allopathic physician, osteopathic physician, or podiatric physician and surgeon by the State Medical Board of Ohio to practice low level laser therapy (LLLT). The Board approved this response in December 2005.

Mr. Bowen moved to deny these procedures for the reason stated. Dr. Imbrogno seconded the motion. All members voted aye. The motion carried.

The committee discussed the supplemental utilization plan application from **Reproductive Gynecology** that is requesting that their PA(s) be approved to perform: transvaginal ultrasound.

The committee noted that this is a taped procedure and the physician will review all tapes. It was noted that the PA is just running the ultrasound machine. The committee questioned whether or not a person needed a sonographer license to perform this procedure. Ms. Thompson informed the committee that the Board had investigated vanity ultrasound and found that as long as the person performing the ultrasound was not diagnosing, the law was not being broken.

The committee requested that the physician clarify whether or not the physician assistant would hold a sonography license. They further requested that the physician submit the reason for the ultrasound and complications specific to this procedure.

Dr. Jonesco moved to table this application pending the above clarification. Mr. Bowen seconded the motion. The motion carried.

The committee discussed the supplemental utilization plan application from **Reproductive Gynecology** that is requesting that their PA(s) be approved to perform: intrauterine insemination.

The committee noted that physician assistants under the new law, would be approved to insert intrauterine devices and intrauterine insemination would be the same as or less invasive than inserting an IUD.

Dr. Imbrogno moved to approve this application. Mr. Bowen seconded the motion. All members voted aye. The motion carried.

III. Motion to no longer send written verification of supervision agreement approval

The committee noted that the new statute no longer requires written notification of approval of the supervisory plan and the supervision agreement be sent to the physicians. It was suggested that the staff put a notice on the website alerting physicians that we will no longer send these approval letters and that they will be able to verify via the website.

Mr. Bowen moved to approve no longer sending written verification of approval. Dr. Imbrogno seconded the motion. All members voted aye. The motion carried.

IV. Discussion of draft applications

The committee then discussed the draft applications for the supervision agreement, the addendum to the supervision agreement, the alternate physician form and the physician supervisory plan.

The committee stated that the quality assurance section of the supervisory plan application was not required under 4730.16, Ohio Revised Code. They suggested removing this section from the supervisory plan and adding quality assurance requirement language into the instructions for the supervisory plan and the supervision agreement applications.

The committee also suggested removing the name of the supervisory plan from the supervision agreement. The committee noted that the plan application is to be specific to each physician. Each supervising physician would need to complete a separate supervisory plan application if they will be supervising physician assistant outside a health care facility. Those physicians who will be supervising physician assistants within a health care facility do not need to complete a supervisory plan, however every supervising physician, regardless of where they practice will need to have an approved supervision agreement.

Mr. Bowen moved to approve the applications with the above changes. Dr. Imbrogno seconded the motion. All members voted aye. The motion carried.

V. Motion to delegate the approval of supervisory plans to the staff

The committee discussed the approval process of the standard supervisory plans and agreed that the new supervisory plan didn't require an approval vote of six board members and therefore felt that this could be delegated to the staff. This would speed up the process of approving the supervisory plan.

Dr. Imbrogno moved to approved delegating the approval of supervisory plans to the staff. Mr. Bowen seconded the motion. All members voted aye. The motion carried.

VI. Discussion of new legislation and pending rules

Ms. Debolt explained to the committee that the Board is working on rules regarding sexual boundaries and termination of physician patient relationship that will also impact physician assistants.

Mr. Zaayer stated that he had read and agreed with the rule and offered the suggestion that 4731-26-01(G)(4)i. be amended to reflect the patient was unconscious or otherwise unable to consent to treatment; "AND", instead of the word "OR" due to the fact that if the patients medical condition didn't warrant immediate action they could wait until the patient was able to consent to treatment.

Mr. Bowen moved to approve the rule as modified. Mrs. Sloan seconded the motion. All members voted aye. The motion carried.

Ms. Debolt explained to the committee that we are receiving numerous inquiries via mail regarding interpretation of the new law. She submitted a draft response regarding the delegation of medication administration and requested that it be approved to be sent.

Mr. Bowen moved to approve sending the response. Mrs. Sloan seconded the motion. All members voted aye. The motion carried.

The Physician Assistant Policy Committee meeting was adjourned at approximately 4:15 p.m. on Tuesday May 9, 2006.

I hereby attest that these are true and accurate minutes of the Physician Assistant Policy Committee of the State Medical Board of Ohio, meeting on May 9, 2006.

Robert Zaayer, P.A.-C
Chair

Copies of documents and/or materials referenced in the minutes of the Physician Assistant Policy Committee meeting are available at the Board offices.