



**TENNESSEE BOARD OF MEDICAL EXAMINERS'  
COMMITTEE ON PHYSICIAN ASSISTANTS**

**July 11, 2014**

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A regular meeting of the Tennessee Board of Medical Examiners' Committee on Physician Assistants (hereinafter, "the Committee") was held in the Poplar Conference Room at 665 Mainstream Drive, Nashville, Tennessee on July 11, 2014 at 9:00 am (Central).

**Members Present:** Brett Reeves, PA-C,  
Beverly Joan Gardner, PA-C,  
James Montag, PA-C,  
Benjamin Hux, OPA,  
Omar Nava, PA-C, Chairman  
Donna Lynch, PA-C  
Anne Arney, Public Member

**Staff Present:** Kyonzte Hughes-Toombs, Assistant General Counsel  
Stacy Tarr, Interim Director  
Keshia Evans, Administrator  
Rosemarie Otto, Director, Health Related Boards  
Maegan Martin, Executive Director, Board of Medical Examiners

Mr. Omar Nava, Committee Chairman, called the meeting to order at 9:05 a.m. The Chairman determined that a quorum was present.

**Approval of Minutes**

Mr. Montag made a motion to approve the January 10, 2014 minutes. Mr. Hux seconded the motion. The motion carried.

Mr. Montag made a motion to approve the May 19, 2014 teleconference minutes. Mr. Hux seconded the motion. The motion carried.

## **Applicant Interviews**

**Shawn Blair** – appeared before the Committee to address his past substance abuse and diversion. Mr. Blair is currently under contract with the Virginia Health Practitioners' Monitoring Program and has made contact with TnPAP. Mike Harkreader, Executive Director of TnPAP was present to confirm the receipt of information from Mr. Blair's case manager in Virginia. Mr. Harkreader suggested that Mr. Blair submit to an evaluation and agree to a contract in Tennessee for five (5) years. Mr. Montag made a motion to table the application until the Committee's next meeting to allow Mr. Blair to submit to a TnPAP evaluation and to allow the Committee to receive and review a letter of from Mr. Blair's therapist. Mr. Hux seconded the motion. The motion carried.

**Christopher Boy** – appeared before the Committee to address his past substance abuse and diversion. Mr. Montag made a motion to grant a conditional license with the following restrictions: Mr. Boy may not practice in the area of pain management, or in an emergency room setting for at least one (1) year; he may not prescribe any controlled schedules for at least one (1) year; and he must maintain compliance with the terms of his TnPAP contract until its expiration. The Committee will permit Mr. Boy to petition to remove the restrictions on his area of practice and prescribing authority one year from the date of issuance of his license. Ms. Gardner seconded Mr. Montag's motion. The motion carried.

**Scott Dalrymple** – appeared before the Committee to address his criminal history which includes two (2) convictions for driving under the influence (DUI). The last of Mr. Dalrymple's convictions occurred in 2006. There have been no further incidents since that time. Mr. Montag made a motion to grant licensure. Ms. Arney seconded motion. The motion carried.

**Adam Dickman** – appeared before the Committee to address his past impairment. Mr. Dickman has been under contract with the Kentucky Foundation since 2003. Mr. Montag made a motion to table Mr. Dickman's application until a TnPAP evaluation is conducted and any resulting recommendations made. Mr. Hux seconded motion. The motion carried.

**Timothy Figueroa** – appeared before the Committee to discuss his prescription medication use. After interviewing Mr. Figueroa, the Committee determined that Mr. Figueroa's medications are legitimately prescribed and used to address an ongoing medical condition and that neither the medication use nor medical condition impair Mr. Figueroa's ability to practice medicine. Ms. Arney made a motion to grant license. Ms. Gardner seconded motion. The motion carried.

**Christopher Malynowski** – was invited to interview with the Committee to discuss the nature of his practice. The Committee believes Mr. Malynowski seeks to practice telemedicine in Tennessee. Mr. Montag made a motion to table Mr. Maynowski's application pending receipt and review of information from the applicant. Mr. Montag directed that the applicant be invited back to the October Committee Meeting. Ms. Lynch seconded the motion. The motion carried.

**Michael Warren** – appeared before the Committee to address his past chemical dependency and other impairment. Mr. Warren associated with the Florida Impaired Practitioners' Network after self-reporting. He has been working with TnPAP since early 2014. Mr. Montag made a motion

that Mr. Warren be granted a license contingent on the following: 1) receipt by the Committee of a satisfactory discharge summary from the Ranch, Inc., 2) Mr. Warren's submission to an evaluation by TnPAP, and 3) continued compliance with terms of the resulting TnPAP contract until the contract's expiration. Ms. Arney seconded the motion. The motion carried.

**Brian Zimmerman** – was invited to interview with the Committee to discuss the nature of his practice. The Committee believes Mr. Zimmerman seeks to practice telemedicine in Tennessee. Mr. Montag made a motion to table Mr. Zimmerman's application pending receipt and review of information from the applicant. Mr. Montag directed that the applicant be invited back to the October Committee Meeting. Ms. Gardner seconded the motion. The motion carried.

**Aaron Hoyle** – was scheduled to appear before the Committee via teleconference to discuss the nature of his practice. The Committee believes Mr. Hoyle seeks to practice telemedicine in Tennessee. The Committee was not successful in reaching Mr. Hoyle. His application will be tabled to the October 2014 Committee Meeting.

**Cheryl Woolsey** – appeared before the Committee via teleconference to discuss the nature of her practice. Ms. Woolsey confirmed that she intends to practice telemedicine. Her supervising physician is not licensed in Tennessee. Mr. Montag made a motion to table Ms. Woolsey's application pending further instruction from counsel. Ms. Arney seconded the motion. The motion carried.

### **Ratification of New Licenses and Reinstatements**

Ms. Arney made a motion to ratify the list of new licenses and reinstatements. Mr. Montag seconded the motion. The motion carried.

The following licensees were ratified:

Chelsea N. Batten	Deronna Saylor Moore
Elizabeth Nicole Blank	Justin Lee Neubrandner
Karin Davis	Stephanie Rae Owen
Mary Ann Eck	Brian James Robinson
Medhat A El-Sabawy	Christopher Luna Sawyer
Cates Gentry	Kristen M. Stone
Catherine Jo Hauck	Aileen Elizabeth Wawrzaszek
Thomas E. Hooper	Brandon Kyle West
Danielle Leigh Johnson	Kelley Yandell
Joseph Thomas Klapperich	Seasine Ann-Marie Albarran
Arrienne A. Krulish	Leanne Ruth Garcia
Scott Ann LittleJohn	Taryn Breanne Kendrick
Andrew Spencer Rice McDowell	Magen Sears Mullinix
Haley Elizabeth McLaughlin	

### **State Health Plan Report**

Mr. Jeff Ockerman, JD presented the State Health Plan. The Tennessee State Health plan sets goals and measureable objectives to improve health of Tennessee residents.

### **Legislative Update**

Jeremy Davis of the Office of Legislative Affairs presented legislative updates of interest to the Committee. Mr. Davis presented summaries and updates on nine (9) bills: Public Chapters 949, 622, 623, 983, 898, 820, 575 and 842.

### **Investigation & Disciplinary Report**

Ms. Denise Moran reported that there are currently seven (7) open cases. Four (4) are in the field, two (2) are pending completion, and one is waiting for review.

### **Financial Report**

Ms. Vanessa Crutcher reviewed the financial report with the Committee. Ms. Crutcher stated for fiscal year ending June 30, 2013, direct expenditures were projected at \$66,848, allocated expenditures were projected at \$78,000, and total expenditures were expected at \$144,854. The Committee's projected annual revenue is \$234,000 with a year net of \$89,000 and carry forward of \$473,000. Ms. Crutcher stated the current fee for renewals is \$225.00. Ms. Crutcher recommended reducing the fee to \$175.00. Said reduction would reduce annual revenue by \$37,675.

### **TnPAP Report**

Mike Harkreader presented the Committee with the annual monitoring report for year ending June 30, 2013. TnPAP is currently monitoring nine (9) individuals. There was one (1) monitoring agreement effective and five (5) referrals. Two (2) were evaluated and monitoring was not recommended, two people (2) were evaluated and rejected TnPAPs recommendations (those individuals were turned over to the Department of Health); and one (1) individual successfully completed the program.

### **OGC Report**

Ms. Kyonze Hughes-Toombs, Assistant General Counsel, informed the Committee of Stanley King's Petition for an Order of Compliance. Ms. Hughes-Toombs reported that Mr. King has completed all requirements of his Consent Order and that he now seeks to have the probation lifted from his license. Mr. King was present. Ms. Arney motioned to approve the Order of Compliance. Ms. Gardner seconded the motion. The motion carried.

## **Manager's Report**

Ms. Tarr reported that there have been 116 new applications, 75 new licenses issued, and 9 reinstatements since the Committee's last meeting. Eighty percent (80%) of those renewing elected to do so online. The number of active licensees as of June 30, 2014 was 1,595. The total number of Orthopedic Physician Assistants as of June 30, 2014 was 25.

## **Discussion of other Committee Business**

Mr. Montag made a motion directing the Office of General Counsel to draft language for a Rulemaking hearing and recommendations for changes to the Committee's continuing medical education (CME) requirements under Rule 0880-03-.12. The Committee seeks to eliminate the reference to the NCCPA as its CME requirements are changing. Ms. Lynch seconded. The motion carried.

Mr. Montag made a motion to nominate Mr. Nava to represent the Committee on the Controlled Substance Monitoring Database (CSMD) Committee. Ms. Arney seconded the motion. The motion carried.

Ms. Arney made a motion authorize Ms. Hughes-Toombs, to attend the Federation of State Medical Boards' (FSMB) Conference. Mr. Montag seconded the motion. The motion carried.

Ms. Hughes-Toombs spoke to the Committee regarding the process of lowering the PA licensure fee from \$225.00 to \$150.00. Ms. Hughes-Toombs directed the Committee to language drafted following discussion during the January 2014 meeting. She indicated that she would amend the language to increase the revised fee from \$150.00 to \$175.00 based on Ms. Crutcher's recommendation and the Committee discussions during this meeting. Ms. Hughes-Toombs explained to the Committee that a rulemaking hearing must be authorized. Mr. Montag made a motion to authorize a rulemaking hearing to lower fees. Mr. Hux seconded the motion. The motion carried.

Katherine Pesut Moffat, Executive Director, Tennessee Academy of Physician Assistants (TAPA), spoke to the Committee to discuss the possibility of earmarking funds in the amount of \$200,000 for a public awareness campaign. Mr. Montag directed Administrative Staff to determine whether and how these amounts might be paid. Ms. Arney made a motion to submit proposal and earmark the funds to be spent on a public relations campaign of \$200,000. Mr. Montag seconded the motion. The motion carried.

## **Refund Request**

The Committee discussed Helen Francis' request for a refund of her application fee. Ms. Francis sought licensure but failed to meet the applicable licensure requirements. Ms. Arney moved to deny the request for a refund. Mr. Montag seconded the motion. Ms. Lynch opposed the motion. The motion carried.

## **Election of Officers**

Mr. Montag made a motion to re-nominate Mr. Nava as chairman. Mr. Hux seconded the motion. The motion carried.

Mr. Montag made a motion to nominate Mr. Hux as secretary. Ms. Lynch seconded the motion. The motion carried.

There being no other Committee Business, Mr. Montag made a motion to adjourn the meeting. Ms. Arney seconded the motion. The motion carried unanimously.