



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

**May 6, 2022**

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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 May 6, 2022, at 9:00 a.m. in the Iris Room, Ground Floor, MetroCenter Complex, 665 Mainstream Drive Nashville, TN 37243.

Board Members Present: Joseph Weathersby, PA-C  
Marie Patterson, Chair, PA-C  
Christina Free, Secretary, PA-C  
Robert White, PA-C  
Barbara Thornton, Consumer Member

Board Members Absent: Gregory Cain, PA-C

Staff Present: Stacy Tarr, Administrative Director  
Candyce Wilson, Administrative Director  
David Silvus, Office of General Counsel  
Dorsey Luther, Disciplinary Coordinator  
Matthew McSpadden, Finance Division  
Roger Knowlton, Office of Investigation

Chair, Ms. Patterson took roll call, roll call was taken of all members of the Board who are present.

Mr. Silvus presented information for the rule re-write for the Board. Mr. Silvus advised he will finish the rule procedures by next week and Ms. Alcock will be in attendance at the next meeting.

## **APPROVAL OF MINUTES**

Ms. Thornton made a motion to accept the meeting minutes, seconded by Mr. Weathersby for the meetings from January 14, 2022, and March 18, 2022. Roll call vote was taken and passed.

## **DEPARTMENTAL REPORTS**

### **Receive reports and/or requests from the Office of Investigations**

Mr. Knowlton presented the monitored practitioners report to the Board for mid-year 2022. There were seventeen (17) new complaints for PA's open, twenty-two (22) total closed complaints, four (4) closed due to insufficient findings, two (2) were transferred to the Office of General Counsel, fifteen (15) were closed with no action, and one (1) was closed with a letter of concern.

Of those numbers listed above the following are in regard to which category they fall under: one (1) substance abuse, one (1) action in another state, three (3) malpractice/negligence, two (2) unprofessional conduct, one (1) prescribing to friends/family, four (4) outside investigative scope, and one (1) covid-19.

New complaints open for OPA's was zero (0).

### **Receive financial report from the Bureau Office of Finance Division**

Mr. McSpadden reported to the Board of the 2022 midyear financial evaluation to cover period July 1, 2021- December 31, 2021. Mr. McSpadden outlined the total payroll expenditures of \$35,599.66, total other expenditures of \$17,190.54. Total direct expenditures of \$52,790. Allocated expenditures of \$106,501 across all health-related boards. Board fee revenue of \$210,420. Current net revenue of \$51,128. Mid-Year 2022 Cumulative carryover of \$317,750. Current expenditures are in line with where they should be. Current revenue is slightly higher compared to where it was in 2020, with the Board ending in the positive for the end of this year. No recommendations at this time with any fee structure change. Mr. White asked if the application fees are the only revenue for the PA Board. Mr. McSpadden advised that 75%-90% of the revenue were due to renewal fees, however other revenue fees are included such as initial applications and disciplinary fees.

## Receive reports from Administrative Office

Ms. Stacy Tarr reported that the following activity regarding Physician Assistants transpired in the administrative office between January 1, 2022, and April 30, 2022

New Applications Received:	178
• Full licensure	174
• Temporary	3
• Upgrade to Full	0
• OPA Full Licensure	1
Total New Licenses Issued:	165
Total Number of Renewals:	424
Total Number of Online Renewals:	382
Average Renewals Online:	90%
Total Number of Reinstatements	7

As of April 30, 2022, the total number of active Physician Assistant licenses is 3,222. Of those licensees, 2,697 have a Tennessee mailing address. The total number of Orthopedic Physician Assistant licensees as of April 30, 2022, is 10.

Mr. Weathersby asked how the 90% fall in line with other medical professions, in regard to online renewals. Ms. Tarr advised this is the usual range as the lowest online renewal range is 79% up to 90%, which is consistent among all Boards.

## Receive reports and requests from the Office of General Counsel

Mr. Lim reminded the Board of the conflict-of-interest policy the board should adhere to, as such:

If you have a personal or financial interest in the outcome of any issue or matter before this Board which may suggest a bias on your part, you are asked to state that interest on the record so that a determination can be made as to whether a need for recusal exists. This is true whether the matter relates to a contested case, a rulemaking decision, an application, or any other matter before the Board. You are reminded that it is the duty of this Board to protect, promote and improve the health and prosperity of people in Tennessee and that the administration of this solemn responsibility is dependent upon avoiding even the appearance of impropriety

Mr. Lim explained the Controlled Substance Monitoring Database (CSMD) and how it is designed to work. As the Physician Assistant writes a prescription, it then goes to the pharmacy as the medication is tracked the entire way. Now that there is a new Board of Physician Assistants, Office of General Counsel is working with a board member and

TAPA to prepare proposed amendments to the current rules. We hope to provide a draft copy of the proposed redlines at the next board meeting. The PA Board's website has been updated to provide notice of the amendments to the Controlled Substance Monitoring Database (CSMD) rules, which became effective on January 26, 2022. The following link to the CSMD rules is posted on the PA Board's landing page: CSMD Regulations (tn.gov). The CSMD rules are now codified in two separate places: Chapter 1140-11 (Pharmacy) and Chapter 1145-01 (Commissioner's CSMD rules). Specifically, rules that apply primarily to pharmacies remain in Chapter 1140-11, and those that govern prescribers have been moved to a newly created Chapter 1145-01. Substantively, the new rules require that prescribers check the CSMD before prescribing Schedule II amphetamines, just like they would for opioids and benzodiazepines. The new rules also expressly permit the sharing of patient-level opioid overdose data through the CSMD. The Department is now working to complete the Enhanced Prescriber Report Cards (EPRs), which incorporate CSMD data with opioid overdose data. The EPRs will be provided to practitioners through the CSMD.

Mr. Lim gave a report from the Office of General Counsel. The disciplinary coordinators are currently monitoring thirteen (13) licensees. 1 licensee under board order/reprimand, 4 licensees under probation, 3 licensees under suspension, and 5 licensees under revoked status.

Current cases from OGC report:  
Eight (8) open cases for PA's

Mr. White asked if all these people have accepted an order from the Board and not come before the Board. Mr. Lim answered the question that these individuals receive a Board order and choose to comply with such, until the order has been complied with. Ms. Patterson asked when these individuals drop from the monitoring list after the license is suspended and a Board order is given. Ms. Tarr informed the Board that an individual can re-apply for a license after the Board order is met.

### **Presentation from Dr. Michael Baron, Medical Director of the Tennessee Medical Foundation**

Dr. Baron gave the Board a presentation from the Tennessee Medical Foundation (TMF). Dr. Baron gave a brief update of what the TMF does for licensees within the State of Tennessee, such as providing treatment plans, regular checkups for treatment plans, and prescribing practices. For calendar year 2021 TMF had three hundred forty-five (345) referrals and two hundred nineteen (219) PHP participants. Out of three hundred forty-five (345) referrals, Physicians Assistants make up approximately twenty (20), and of the PHP participants, Physician Assistants include approximately eight (8). Dr. Baron outlined that he tries to remove the stigma of mental health issues and bring forth awareness of how it effects individuals. This will bring licensees forward to prevent further complications or licensed suspensions. Mr. Weathersby asked Dr. Baron, if files are sealed, does the individual come before the Board? Dr. Baron advised, it's up to administrative staff or Board chair as to whether to invite the individual to the Board

meeting. Dr. Baron outlined that his consultations are not sunshine rule and will draft a letter of recommendation to present to the Board at the conclusion of each case. Mr. Weathersby asked, if TMF monitors someone for five (5) years, what does that include? Dr. Baron outlined that the requirements are given after the initial meeting with an individual and then a treatment plan is added, such as a twelve-step program, have a work site monitor, and see a therapist if it is outlined in the treatment plan. This treatment plan is rigorous as it includes toxicology tests, facial recognition software, and hair checks for drug screen panel. Mr. White asked what the yearly contract is for the PA Board, Dr. Baron advised approximately \$2,100 per year.

## **DISCUSS NEW BUSINESS**

### **Ratification of New Licenses**

Mr. Weathersby made the motion to approve all licenses. Motion seconded by Mr. White, roll call vote taken, motion passed.

### **Discuss and consider Epi Source Exemption Request**

Mr. Lim advised that he feels this is premature as this request was sent to the Nursing Board and not the PA Board, therefore, to remove from discussion.

### **Discuss and consider revised PA Compact Rules**

Ms. Tarr advised that she attended the Federation of State Medical Boards (FSMB) conference and informed the Board the Compact is still going through procedural changes as they have not received a red lined copy, so it's hard to see any changes that were made. This should be completed by 2023. Ms. Patterson advised that she also attended the FSMB conference, and they wanted to include more States and stakeholders, so they are experiencing a delay.

### **Discuss and consider Board consultant application review roles**

Ms. Tarr informed the board about the current procedures of the Board members reviewing application files during final review and if they wanted to appoint a consultant to review files. Ms. Tarr advised that she was in talks with administrative staff about having a contract established for the new Board consultant. Mr. White asked what a cost will look like if the Board hires a consultant? Ms. Tarr advised that administrative staff reach out at the next Board meeting. Mr. White recommended that the Board maintain final review of applications to save the Board money. Ms. Tarr reminded the Board members that the goal was a ten (10) day turnaround timeline to make decision on final application files.

## **Discuss and consider consultants for Overprescribing Case Review**

Mr. White outlined that the Office of General Counsel brought three Medical Doctor's before the Board which were rejected. Ms. Moffit (TAPA) advised she has been in recent talks with other staff members about brining Physician Assistants before the Board for review in regard to overseeing case review.

## **Public Comment**

Ms. Moffit outlined that they are having a Statewide meeting in Gatlinburg this October and asked the Board to reschedule their conflicting October meeting. Mr. White asked if the board could hold the October meeting in Gatlinburg. Ms. Tarr advised she will reach out to administration to see about a change of venue. Mr. Weathersby asked if the July meeting could be rescheduled due to member schedules. Ms. Tarr advised she will look into changing the schedule, as she has to work around thirty-two (32) other Boards to be sure a meeting room is available. Mr. White asked if anyone has heard about going back to virtual meetings. Mr. Lim advised that the legislative team will present about presenting anything that could impact the Board's interest, including future electronic meetings.

**Adjournment at 10:31am.**