

MINUTES

**UTAH
PHYSICIAN ASSISTANT
LICENSING
BOARD MEETING**

December 16, 2013

**Room 402 – 4th Floor – 8:30 A.M.
Heber Wells Building
Salt Lake City, UT 84111**

CONVENED: 8:40 A.M.

ADJOURNED: 11:23 P.M.

**Bureau Manager:
Board Secretary:
Compliance Assistant:**

Noël Taxin
Tammy Baker
Debbie Harry

Board Members Present:

Jeffrey M. Coursey, PA-C, Chairperson
Kyle Harmer, PA-C
Robert E. Ferguson, Jr. MD
Lori G. Buhler
Shari Bloom, PA-C
David Schmitz, MD
Robert C. Moesinger, MD

Board Members Absent and Excused:

Guests:

Terry Jeffries

TOPICS FOR DISCUSSION

ADMINISTRATIVE BUSINESS:

MINUTES:

The minutes from the October 21, 2013 Board meeting were read.

Ms. Bloom made a motion to approve the minutes as read. Dr. Schmitz seconded the motion. The Board vote was unanimous.

APPOINTMENTS:

8:45 am

Debbie Harry, Compliance Update on Hansel Rayner

Ms. Harry reported Mr. Rayner has provided copies of all prescriptions written and submitted a practice plan for the Board to review.

Mr. Coursey asked if Mr. Rayner sent a letter to all patients telling them that he works for Dr. Satter.

Ms. Taxin answered that a letter had not been submitted for review.

The Board questioned Mr. Rayners ownership of the practice.

Ms. Taxin informed the Board that Mr. Rayner can own the practice, as per 58-70a-503(6), but he must work with supervision and under the scope of the physician.

Mr. Coursey voiced concerns that the name of Mr. Rayner's practice implies there is an Endocrinologist on staff and the Board needs to tell Mr. Rayner to change the name of his practice.

The Board continued to discuss Mr. Rayner.

Mr. Coursey stated that the Board would like to see a new DOSA submitted and that it needs to be signed by both Dr. Satter and Mr. Rayner.

9:20 am

Dr. Satter, Supervising Physician, Telephonic Interview

Dr. Schmitz conducted the telephonic interview with Dr. Satter as he could not be present for the meeting.

Dr. Satter began by telling the Board that he has seen a few new patients referred by Mr. Rayner. He stated that Mr. Rayner comes into the office every Wednesday with his MA.

Mr. Coursey reminded Dr. Satter that Mr. Rayner should not be practicing outside the scope of practice of his supervising physician and that Dr. Satter should be co-signing the charts.

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Ms. Bloom asked if a letter was drafted to all patients letting them know that Dr. Satter is their physician.

Dr. Satter stated that he does not know if a letter was drafted.

The Board discussed merging the practices and asked Dr. Satter if he would be willing to do that. The Board asked about the logistics if Mr. Rayner moved into Dr. Satter's office.

Dr. Satter stated that he does not oppose merging the two practices. He has a few spare rooms that Mr. Rayner uses on Wednesdays and if he moved his practice over, he could continue to use these rooms. He stated that he currently goes online and looks at the electronic records submitted by Mr. Rayer. He stated that he has reviewed approximately 20 records and knows that he has to sign all charts that had a controlled substance prescribed.

Dr. Satter stated that he did not know that Mr. Rayner was in trouble when he agreed to be his Supervising Physician.

The Board explained to Dr. Satter what a DOSA is and what needs to be outlined in the DOSA to clearly define what Mr. Rayner's job duties are.

Dr. Satter stated that he has not had time to read the Laws and Rules, but knows he needs to review 20% of Mr. Rayner's charts.

Dr. Moesinger asked who does the patient scheduling for the Wednesday's that Mr. Rayner comes to Dr. Satter's clinic.

Dr. Satter answered that Mr. Rayner schedules the Wednesday patients.

The Board thanked Dr. Satter and stated they would like to meet with him in person at the January 27th or next scheduled Board meeting.

The Board continued to discuss their concerns and expectations of Mr. Rayner.

A Board Meeting was tentatively scheduled for January 27, 2014 to follow up with Dr. Satter and Mr. Rayner.

10:15 am

Hansel Rayner, Probationary Interview

Mr. Coursey, Board Chairperson introduced himself.

Dr. Schmitz conducted the interview.

Mr. Rayner stated that he is practicing out of Dr. Satter's clinic on Wednesday's and all new patients are being seen by Dr. Satter on those days.

The Board stated that all patients scheduled with Mr. Rayner should have a follow up appointment with Dr. Satter within 30 days.

Mr. Rayner stated that he no longer has hospital privileges and is under negotiations with Dr. Satter to move in to his building. Mr. Rayner stated that he is having a difficult time getting out of his current lease with his landlord.

Dr. Schmitz stated that the name of Mr. Rayner's practice is false advertising because it leads the public to believe that there is a Physician that specializes in Endocrinology on staff. He stated that Dr. Satter is still not being recognized as Mr. Rayner's supervising physician and these two things need to be changed.

Mr. Rayner stated that a letter was not sent out to patients because of the physical location change. He stated that a large sign was posted on the front counter of his clinic letting all patients know that Dr. Satter is the physician in charge.

Ms. Bloom asked what plan was put into place to integrate the two practices.

Mr. Rayner stated that his staff schedules new patients on Wednesdays and if they cannot see Dr. Satter on the first appointment then they are told that they have to follow up with Dr. Satter within 30 days of their initial appointment.

Dr. Schmitz stated that he wants Dr. Satter listed as the only supervising physician on the DOSA, and that a Notification of Change needs to be submitted with his DOSA.

The Board requested that Mr. Rayner submits his revised DOSA, Notification of Change Form, Patient Letter and Practice Plan to Ms. Taxin by Friday, December 20, 2013 so she can submit them to the Board for approval.

Ms. Taxin stated that Dr. Satter needs to be more involved with the planning and that he needs to be the person filling out the DOSA, and approving the work plan.

Dr. Schmitz stated that the emergency contact on the DOSA should involve Dr. Satter and Dr. Satter should be signing all of the paperwork that Mr. Rayner submits to the Board.

Mr. Coursey asked if the two practices merge, whether Mr. Rayner would be employed by Dr. Satter or if he would be a contract employee. He asked whether Mr. Rayner would be required to pay rent if he moved into the three designated rooms in Dr. Satter's practice.

Mr. Rayner stated that Dr. Satter does not charge him rent at the moment, but if he completely moves in, then Dr. Satter would charge him rent. He stated that he cannot afford to pay rent at both buildings.

Ms. Taxin asked Mr. Rayner if he was opposed to being a paid employee of Dr. Satter?

Mr. Rayner answered that he has not discussed that option with Dr. Satter. He stated that he is consulting with an attorney on how to integrate the two practices.

Dr. Schmitz stated that the Board wants to see both practices existing in one location. He stated that Mr. Rayner's lease issues are of no concern to the Board, they are only concerned about public safety and being in compliance with the current Laws and Rules.

Dr. Ferguson stated that there has been a small shift but not a big shift since the first meeting. Dr. Ferguson listed the Board's expectations for Mr. Rayner:

- **Mr. Rayner needs to clean up his *Google Plus* account so it no longer indicates Mr. Rayner is a doctor.**
- **Mr. Rayner needs to submit a draft letter to all patients by December 20th for the Board to approve.**
- **Mr. Rayner needs to submit a new DOSA along with a Notification of Change by December 20th.**
- **The Board is making a strong recommendation that the name of the facility is the same for both Dr. Satter's and Mr. Rayner's practices.**
- **Dr. Satter needs to be more descriptive in his supervisory reports.**
- **The Board would like to follow-up with Mr. Rayner accompanied by Dr. Satter at a January 27, 2014 board meeting.**

Mr. Coursey asked when patients call into his clinic looking for an Endocrinologist, do they know that they are seeing a PA and not a physician?

Mr. Rayner stated that yes, patients are told that they are seeing a PA that "specializes" in Endocrinology, and Dr. Satter is the physician in charge.

Dr. Moesinger stated that "specializing" is a word that shouldn't be referred to for a PA, it implies "specialized board training". He also reminded Mr. Rayner that the DOSA should include the existing practice plan.

Ms. Taxin stated that Mr. Rayner needs to make sure that Dr. Satter is on board with having a PA on staff. If he is not enthusiastic about being a Supervising Physician, maybe Mr. Rayner should try to find a physician that wants to be a supervising physician to a PA.

Mr. Rayner stated that he does not want to be pulled into a situation where he is over his head with having to practice medicine outside his knowledge and comfort level. He wants to stay within the practice of Diabetes and Endocrinology.

The Board told Mr. Rayner that they would like to meet with him and Dr. Satter on January 27, 2014 or possibly in February for a follow-up appointment, and that the Division would confirm the time.

The Board determined Mr. Rayner is out of compliance today as he failed to submit a DOSA and a letter to all patients informing them that he is a PA and Dr. Satter is the Supervising Physician as ordered by the Board at the October 21, 2013 Board Meeting.

DISCUSSION ITEMS:
Board Member Training

Ms. Taxin conducted the yearly board member training.

Ms. Taxin reviewed the Open and Public Meetings Act guidelines with formal Board meetings for business and reminded the Board that all Board meetings are recorded with the recording being retained for a year.

Ms. Taxin reviewed the guidelines for Board meetings and explained that Board business must be conducted in the formal Board meeting with an agenda having been posted 24 hours in advance for any interested public people to be able to attend. She explained additional agenda items cannot be added after the 24 hour deadline and will be on the next scheduled Board meeting agenda. She explained a quorum of Board members is required to make decisions with motions

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Ms. Taxin explained the purpose for closing a meeting and stated with the Open Public Meetings Act there are very few reasons to close a meeting for the public to leave. Ms. Taxin reviewed electronic (telephonic) participation by Board members and for interviews. She stated Board members and public visitors may be requested to leave a Board meeting if they are being disruptive.

Ms. Taxin covered the issue of requesting a probationer, an applicant or any individual to leave the meeting for Board discussion and stated meetings are open and comments should be made to the individual in order for them to understand the issues.

She stressed the importance of Board members being professional, remembering they are here to protect the public, to be fair, attentive and balanced in their comments and decisions. She stated Board members should be respectful to each other as well as any probationers or visitors. She stated they should listen and consider other view points; sometimes being creative but clear and open in communication and hold judgment until after all the facts have been presented.

Ms. Taxin recommended the Board review and be familiar with their Laws and Rules in order to make correct decisions. She stated they should be positive role models.

Ms. Taxin covered the fire drill and her expectations for everyone to get out of the building and meet across the street in the parking lot to be accounted for. She asked the Board to let her know if they have any special needs and to be aware of any visitors who may have special needs in order for her to get assistance for Board members or visitors. Ms. Taxin reviewed the fire escape locations.

The Board thanked Ms. Taxin for the information.

2014 Board Meeting Schedule, **March 17,**
June 16, September 15, December 15

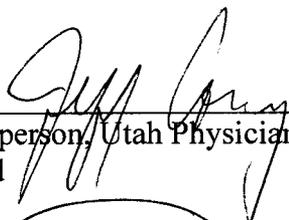
CORRESPONDENCE:

NEXT MEETING SCHEDULED FOR: March 17, 2013

ADJOURN: 11:23 P.M.

Note: These minutes are not intended to be a verbatim transcript but are intended to record the significant features of the business conducted in this meeting. Discussed items are not necessarily shown in the chronological order they occurred.

1/27/14
Date Approved



Chairperson, Utah Physician Assistant Licensing
Board

1/10/14
Date Approved



Bureau Manager, Division of Occupational &
Professional Licensing