

**MINUTES**

**UTAH  
PHYSICIAN ASSISTANT  
BOARD MEETING**

**June 4, 2009**

**Room 475 – 4<sup>th</sup> Floor – 8:30 A.M.  
Heber Wells Building  
Salt Lake City, UT 84111**

**CONVENED:** 8:30 A.M.

**ADJOURNED:** 10:00 A.M.

**Bureau Manager:**  
**Board Secretary:**  
**Division Compliance Manager:**

Noel Taxin  
Karen McCall  
Ronda Trujillo

**Board Members Present:**

Maria K. Skedros  
D. Wain Allen, MD  
Jeffrey M. Coursey  
Larry Reimer, MD  
David Schmitz, MD

**Board Members Absent:**

Jeffrey P. Clark, MD, Chairperson  
Gordon L. Day, PA-C

**Guests:**

Bob Bunnell, U of U UPAP Marketing Coordinator &  
Executive Director

**TOPICS FOR DISCUSSION**

**DECISIONS AND RECOMMENDATIONS**

**ADMINISTRATIVE BUSINESS:**

Acting Chairperson

Dr. David Schmitz volunteered to act as Board  
Chairperson in the absence of Dr. Clark.

**MINUTES:**

The minutes from the March 12, 2009 Board meeting  
were read.

Dr. Allen made a motion to approve the minutes as  
read. Dr. Reimer seconded the motion. **The Board  
vote was unanimous.**

## APPOINTMENTS:

**8:45 am**

Ronda Trujillo, Compliance Update

Ms. Trujillo updated the Board regarding the compliance or non-compliance of probationers.

Ms. Trujillo reported **Mr. David Dodd** is currently in compliance with his Stipulation and Order as all paperwork was received on time.

**Ms. Taxin stated one of the prescribing courses she recommended has been discontinued at this time. She stated Mr. Dodd left a message last night that he found another course and completed it without pre-approval. Ms. Taxin stated the Board will need to ask about the course to determine if it will meet the requirement and decide if they will approve the course. She stated if the Board does not approve the course then Mr. Dodd could use the hours for his renewal CE requirements. Ms. Taxin reminded the Board that she gave Mr. Dodd the book “Responsible Opioid Prescribing” and if he can explain what he has learned and what methods he will incorporate in his practice the Board could accept it as part of the course requirement.**

Ms. Trujillo reported **Mr. Elmer Sisneros** is currently in compliance with his Stipulation and Order as all his paperwork was received on time.

Dr. Reimer asked if the issue regarding Mr. Sisneros business arrangement was resolved.

Ms. Taxin responded it appears the business arrangement is in order and if there is an issue the business relationship is dissolved as per his attorney in the March 12, 2009 meeting. She stated the reports noted patients are receiving proper care and Mr. Sisneros is receiving supervision.

Ms. Trujillo reported **Mr. Jeffrey Pollock** is currently in compliance with his Stipulation and Order as he has

been consistent in calling in daily for drug testing, the tests have all been negative and all his paperwork was received on time. She reminded the Board of their recommendation at the last meeting for drug testing to continue for a period of 6 months and Mr. Pollock is near his 6 month probation time.

**8:50 am**

David Dodd, Probationary Interview

Mr. Dodd met for his probationary interview.

Dr. Schmitz conducted the interview.

**Dr. Schmitz stated in March 2009 the Board had requested Mr. Dodd to complete the required prescribing course. He stated it has come to the attention of the Board that Mr. Dodd completed a course without pre-approval. Dr. Schmitz asked Mr. Dodd to discuss what was covered in the course he completed.**

Mr. Dodd explained the course Ms. Taxin recommended is no longer being offered and he completed a course on prescribing opioids through the University of Nebraska. He stated the course included how to monitor patients, write treatment plans, assess, evaluate, how to recognize behaviors and to recognize when you are taking on too much. Mr. Dodd stated when dealing with patients with pain there should be a balance between functionality and taking away the pain for functionality. He stated he also read the book "Responsible Opioid Prescribing" which was very helpful.

Mr. Dodd stated he received the Utah controlled substance (CS) license and has talk with the DEA regarding the Federal registration. He stated he is not currently writing any CS's and will wait to reinstate the DEA until he has employment where he will need to write CS's. Mr. Dodd stated he also wants to talk with a pharmacist for clarification on some questions before he reinstates the DEA. He stated he writes some prescriptions but no controlled substances and his supervising Physician signs his name on the prescriptions and reviews the case.

**Dr. Schmitz asked if the supervising Physician is**

**always at the clinic when Mr. Dodd is there seeing patients.**

Mr. Dodd responded yes his supervisor is there.

**Ms. Taxin asked if the supervising Physician is overseeing the case and charting when Mr. Dodd writes prescriptions and he signs them. She stated Mr. Dodd needs to be careful he is not using the supervisor's DEA number as that is unlawful.**

**Dr. Reimer stated if there is a need for a CS prescription the supervising Physician should write the whole prescription as a protection for Mr. Dodd.**

**Ms. Taxin also stated Mr. Dodd cannot write any part of a CS without the DEA number. She stated he would have a problem if a case was opened and he had written the prescription. Ms. Taxin stated Dr. David Nelson, Mr. Dodd's supervisor, wrote a positive report.**

**Following discussion, Dr. Allen made a motion to accept the course Mr. Dodd completed and Mr. Dodd reading the "Responsible Opioid Prescribing" as meeting the Stipulation and Order requirement of completing a course on opioid prescribing.**

**Dr. Reimer seconded the motion.**

**The Board vote was unanimous.**

**Ms. Trujillo requested Mr. Dodd to submit the certificate of completion for his file as soon as he receives it.**

Mr. Dodd stated he will submit the certificate. He asked the Board if it is alright for him to wait on obtaining his DEA number.

**Ms. Taxin asked the Board if they would want Mr. Dodd terminated prior to monitoring his prescribing. She asked if the Board would want Mr. Dodd to:**

- 1. write out a plan of his proposed method for CS prescribing for the future, and**
- 2. have his supervisor address how Mr. Dodd currently writes prescriptions and his accuracy of the right prescriptions with the right diagnosis for the Board to review.**

**Ms. Taxin reminded the Board of their desire to have Mr. Dodd working as a PA for 6 months to a year and if his supervision reports are positive and he is in compliance then consider early termination of probation.**

**Dr. Reimer recommended Mr. Dodd meet with the Pharmacist and then write out a plan for the Board to review.**

Mr. Dodd responded he would write out a plan for review. He stated reading the books and taking the class really taught him things he was not aware of such as over-prescribing for pain, how to recognize when he should not write prescriptions and when to walk away.

**Dr. Schmitz stated it is important to know when to ask questions and when to and where to get some help. He stated the provider needs to have limits as you cannot always prescribe what and when the patient wants. He stated it appears Mr. Dodd cannot get the DEA without the CS and the Board would like to monitor his CS practice prior to termination of probation. Dr. Schmitz stated Mr. Dodd may need to have regular employment and not just volunteer.**

**Mr. Coursey suggested Mr. Dodd also refer to the AAPA Code of Ethics on conduct. He stated it would be a good resource for additional information.**

Mr. Dodd stated he has been looking for part-time employment as a PA but would like to keep the Radiology Technology position. He thanked Mr. Coursey for the AAPA Code of Ethics suggestion and stated he will get a copy.

**Dr. Schmitz gave Mr. Dodd the name and phone number of a person who has been hiring PA's.**

**Ms. Taxin clarified Mr. Dodd has the CS license. She asked if the Board is comfortable with requesting him to write a plan even though he may never need the DEA registration as he is allowed to write prescriptions for antibiotics and legend drugs without the DEA registration.**

Following discussion, Mr. Dodd stated he will communicate with Ms. Taxin regarding PA employment. He stated he is aware of a PA position and will probably apply for it although he desires to keep his radiology job.

**Dr. Allen stated Mr. Dodd should be prepared to meet in August and have a practice plan, a letter from his supervisor for the Board to review and his certificate of completion for the ethics course.**

**Ms. Taxin asked Mr. Dodd to also submit a letter requesting early termination and ask his supervisor to write the report more in-depth regarding specific skills he has noticed Mr. Dodd has and that he supports early termination of probation.**

Mr. Dodd thanked the Board for their guidance and stated he will also speak with a Pharmacist and read the AAPA Code of Ethics.

**Ms. Taxin recommended Mr. Dodd contact Roger Fitzpatrick, the chairperson of the Pharmacy Board as a reference.**

**The Board determined Mr. Dodd is in compliance with his Stipulation and Order.**

**An appointment was made for Mr. Dodd to meet again August 27, 2009.**

**9:10 am**

Elmer Sisneros, Probationary Interview

Mr. Sisneros met for his probationary interview.

Dr. Reimer conducted the interview.

**Dr. Reimer stated Mr. Sisneros's supervision report was received and it was a very positive report. He asked Mr. Sisneros if anything has changed in his employment position in Heber City.**

Mr. Sisneros responded he is trying to schedule appointments in order to work less hours. He stated the office is open from 10:00 am until about 10:00 pm with mostly urgent care patients.

**Dr. Schmitz asked if he routinely does pelvic examinations and if he has a chaperone available when he does the examinations.**

Mr. Sisneros responded he usually does not do pelvic examination. He stated he usually refers those patients to a nurse practitioner in Heber. He stated he does have a chaperone for female patients if he does a pelvic examination.

**Ms. Taxin stated it is common for female patients to give compliments. She asked if that has happened to Mr. Sisneros and if he has set his boundaries.**

Mr. Sisneros responded he has not had compliments from female patients. He stated he receives a lot of Hispanic patients from surrounding communities and sees about 60 % female patients, 40% male patients and children. Mr. Sisneros stated he sees about 8 patients a day and is on the border of being over loaded at times. He stated the largest number of patients he has seen in a day is about 17. He stated the office is now open on Mondays and Dr. Rashad is typically there on week-ends and a few times during the week. Mr. Sisneros stated he talks with his supervisor by telephone and by computer. He stated there is about 8 to 10 hours of direct supervision as week.

**Dr. Reimer asked if Mr. Sisneros had any questions for the Board.**

Mr. Sisneros asked when his probation will end.

**After reviewing Mr. Sisneros file, Ms. Taxin**

**responded it is scheduled to terminate February 12, 2012.**

**The Board determined Mr. Sisneros is currently in compliance with his Stipulation and Order.**

**An appointment was made for Mr. Sisneros to meet again August 27, 2009.**

**9:25 am**

Jeffrey Pollock, Probationary Interview

Mr. Pollock met for his probationary interview.

Mr. Coursey conducted the interview.

Mr. Pollock reported his employment is going well. He stated he believes everyone should to through a prescribing course prior to completion of their education as he had no idea what the guidelines were and learned a lot in the course.

**Mr. Coursey stated the certificate of attendance/completion was received for Mr. Pollock's file.**

**Ms. Taxin asked if Mr. Pollock came up with a new practice plan after completing the course.**

Mr. Pollock responded he did as he learned who to prescribe for and who not to prescribe for and how to document properly in medical records. He stated he is not doing a lot of prescribing at this time. Mr. Pollock explained he is doing some hormone replacement and education regarding what people should do prior to starting a weight loss program. He stated he is using HCG hormone prescriptions which are filled at a pharmacy where it is mixed and either delivered to the patient or the patient picks it up. He explained he does the physicals and makes sure of the injections the patients receive. Mr. Pollock stated he made an appointment for the psychiatric evaluation for May 27, 2009. He stated he tried to be as open as possible and did not want to start taking any medications for the ADD which was the diagnosis from his family physician. Mr. Pollock stated the evaluator is not sure he had ADD and believes he was bogged down with stress from going to school. He stated the evaluator

believes he is functioning well without medications but if he has problems he may return to the evaluator for medications. Mr. Pollock stated other forms of treatment were not recommended at this time. He stated the evaluator appeared to focus more on how he is currently functioning as the treatment is based on functionality. He stated he believes he has high functionality currently. Mr. Pollock stated he is not sure what the evaluation will say or recommend.

**Dr. Schmitz asked if there was any discussion regarding Mr. Pollock having an addictive personality.**

Mr. Pollock responded they discussed how he felt while taking the original medications and that he may have addictive tendencies. He stated he has tried to focus more on his religious experiences and participation than attending AA as he does not feel comfortable with the environment. Mr. Pollock stated he has to make sure he is mentally and physically prepared when he is going out of town.

**Mr. Coursey stated the Board had requested more information in the reports from Mr. Pollock's supervisor. He stated the supervisor supplied additional information and the report and remarks were positive.**

Mr. Pollock requested the reports be due on a quarterly basis as Dr. Moore has submitted reports monthly for over 6 months.

**After reviewing the reports submitted, Dr. Reimer made a motion to change the monthly reports requirement to being due on a quarterly basis.**

**Dr. Schmitz seconded the motion.**

**The Board vote was unanimous.**

Mr. Pollock asked how long he will be required to continue the drug screening. He stated he tests about once a month.

**Ms. Trujillo stated Mr. Pollock started the drug**

**screening in January 2009.**

**Ms. Taxin responded the drug screening needs to continue at least for another 6 months. She reminded the Board that Mr. Pollock is required to call in daily and it is sometimes difficult to remember to call each day. She stated the Board needs to be sure Mr. Pollock continues with negative tests but any probationer may request termination of any requirement and the Board will consider the request. Ms. Taxin recommended Mr. Pollock request the psychiatrist give a recommendation on the necessity of the drug testing. She stated if the evaluator does not address the issue then the Board must address it. Ms. Taxin stated the evaluators are to give professional information and recommendations to protect the public.**

**Mr. Coursey responded he would not want to consider termination of the drug testing requirement until the August 2009 meeting and only after the Board has reviewed the results of the tests between now and then.**

**Ms. Taxin stated it was good to hear Mr. Pollock report that the course he completed was helpful.**

**The Board determined Mr. Pollock is currently in compliance with his Stipulation and Order.**

**An appointment was made for Mr. Pollock to meet again August 27, 2009.**

**DISCUSSION ITEMS:**

FYI

Ms. Taxin informed the Board that she filed the Proposed Rules to update the CE section. She stated the Rules Hearing has been scheduled for June 17, 2009, at 9:00 am in room 475. She stated Board members are welcome to attend but are not required.

FYI

Dr. Schmitz notified the Board that he will be absent for the August 27, 2009 meeting.

**NEXT MEETING SCHEDULED FOR:**

August 27, 2009

**ADJOURN:**

The time is 10:00 am and the Board meeting is adjourned.

*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.*

August 27, 2009  
Date Approved

(ss) Gordon L. Day, PA-C  
Chairperson, Utah Physician Assistant Licensing  
Board

June 9, 2009  
Date Approved

(ss) Noel Taxin  
Bureau Manager, Division of Occupational &  
Professional Licensing