

**OREGON BOARD OF MEDICAL EXAMINERS  
PHYSICIAN ASSISTANT ADVISORY COMMITTEE MINUTES**

**December 8, 2005**  
**1500 SW 1<sup>st</sup> Ave Suite 620**  
**Portland, Oregon 97201**  
*Board Accepted 1/13/06*  
*Committee Accepted 3/9/06*

**MEMBERS PRESENT**

Dana Gray, PA, Chairperson  
Randy Randolph, PA  
Bruce Carlson, MD  
Darrel Purkerson, RPh  
Sheridan A. Thiringer, DO, Board Liaison

**STAFF PRESENT**

Diana Dolstra, Licensing Administrator  
Jennifer Lannigan, Licensing Coordinator  
Candice Kramer, Physician Assistant Licensing Specialist

**GUEST**

Ted J. Ruback, MS, PA, Oregon Society of Physician Assistants (OSPA)

**AGENDA**

***EXECUTIVE SESSION:***

Update on physician assistants currently under Board investigation – Gary Stafford, Chief Investigator

Review application for unlimited licensure

***PUBLIC SESSION:***

15 Minute Public Comment Session

Approve Minutes from the September 8, 2005 Committee meeting.

Proposed administrative rule changes – Final Review

    OAR 847-050-0026 Limited License, Special; OAR 847-050-0041 Prescription Privileges; OAR 847-050-0065 Duties of the Committee

Proposed administrative rule changes – First Review

    OAR 847-050-0025 Interview and Examination

HB 3238 – B: Guidelines to be used in determining fiscal impact of proposed rulemaking – Diana Dolstra, MSLS, Licensing Administrator; Jen Lannigan, PhD, Licensing Coordinator

Draft an awareness statement regarding the usage of an agent in multi-practitioner setting as defined by OAR 847-050-0010(1) and discuss possible legislation to clarify issue

Review reactivation of permanent licensure of Client 26862

Approval of new applicants and practice changes needing Committee review

Approval of new licensee consent agenda

Approval of consent agenda

Approval of Limited Licenses, Special

Approval of Limited Licenses, Post Graduate

Approval of physician assistant students training in Oregon

Other business – Physician assistants called to active National Guard duty

Approve future meeting dates

*WORKING LUNCH*

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Dana Gray, PA, Chairperson, called the meeting to order at 9:30 a.m.

***EXECUTIVE SESSION:***

**UPDATE ON PHYSICIAN ASSISTANTS CURRENTLY UNDER BOARD INVESTIGATION – GARY STAFFORD, CHIEF INVESTIGATOR**

**REVIEW APPLICATION FOR UNLIMITED LICENSURE**

***PUBLIC SESSION:***

**REVIEW APPLICATION FOR UNLIMITED LICENSURE**

**TAB A  
EXECUTIVE SESSION**

It was moved and seconded that

**THE PHYSICIAN ASSISTANT COMMITTEE RECOMMENDS THE BOARD OF MEDICAL EXAMINERS APPROVE CLIENT 32677 AS A PHYSICIAN ASSISTANT IN THE STATE OF OREGON UNDER THE SUPERVISION OF CLIENT 11388 , PER SUBMITTED PRACTICE DESCRIPTION WITH SCHEDULE II-V PRESCRIPTION PRIVILEGES AND THE FOLLOWING AMENDMENTS: AS CLIENT 32677 IS A NEWLY OREGON LICENSED PA, CHART REVIEW IS THAT OF A NEW LICENSED PA; WHICH IS, 50% OF CHARTS FOR THE FIRST 30 DAYS, 30% OF CHARTS FOR THE NEXT 60 DAYS, AND 20% FOR THE NEXT 90 DAYS. AFTER SIX MONTHS, CHART REVIEW IS REDUCED TO 10% OF CHARTS PER MONTH, OR NO LESS THAN 10 CHARTS PER MONTH.**

Four members voted to pass the motion. Randy Randolph, PA, recused.

***NOTE: 1/13/06 – The Board voted to forward the Oregon physician assistant license application of client 32677 to the BME Investigative Committee for further review. Physician Assistant Committee recommendation is not accepted at this time.***

**15 MINUTE PUBLIC COMMENT**

Ted Ruback, PA, reported that the physician assistant (PA) section of the Oregon Medical Association (OMA) presented a resolution the OMA’s House of Delegates that requests the OMA’s

assistance in resolving the issue of certain nurses in the State being unwilling to take orders from PA's. He indicated that this resolution was passed unanimously.

Mr. Ruback requested that the 15 Minute Public Comment section be placed at the end of the meeting so that he may contribute to the debate about the issues on the agenda after the issues have been discussed rather than prior to their discussion.

Mr. Ruback stated that he would specifically like to comment about the issue of "agent" after the Committee addressed it at this meeting.

It was moved that and seconded that

**THE PHYSICIAN ASSISTANT ADVISORY COMMITTEE WILL REARRANGE THE AGENDA SUCH THAT THE SESSION FOR PUBLIC COMMENT WILL BE PLACED AS THE SECOND TO LAST AGENDA ITEM IN PUBLIC SESSION RATHER THAN THE FIRST.**

Members present voted unanimously to pass the motion

The Committee addressed a letter submitted by Roger J. Dreiling, MD.

It was moved that and seconded that

**THE PHYSICIAN ASSISTANT ADVISORY COMMITTEE RECOMMENDS THE BOARD OF MEDICAL EXAMINERS APPROVE CHANGING THE CURRENT PRACTICE DESCRIPTION FORM "REQUEST FOR ADDITIONAL MEDICAL AND SURGICAL SERVICES" SECTION TO INCLUDE A PLACE FOR THE SUPERVISING PHYSICIAN TO LIST THE LEVEL OF SUPERVISION HE OR SHE IS REQUESTING AND AN ATTESTATION THAT THE PHYSICIAN ASSISTANT IS COMPETENT TO PERFORM THESE PROCEDURES AT THE REQUESTED LEVEL OF SUPERVISION.**

Members present voted unanimously to pass the motion

**APPROVE THE MINUTES FROM THE SEPTEMBER 8, 2005, PHYSICIAN ASSISTANT ADVISORY COMMITTEE MEETING**

It was moved and seconded that

**THE PHYSICIAN ASSISTANT ADVISORY COMMITTEE APPROVES THE MINUTES OF THE SEPTEMBER 8, 2005 PHYSICIAN ASSISTANT COMMITTEE MEETING.**

Members present voted unanimously to pass the motion.

**PROPOSED ADMINISTRATIVE RULE CHANGES: FINAL REVIEW  
OAR 847-050-0026 LIMITED LICENSE, SPECIAL; OAR 847-050-0041 PRESCRIPTION PRIVILEGES; OAR 847-050-0065 DUTIES OF THE COMMITTEE *EXHIBIT A***

It was moved that

**THE PHYSICIAN ASSISTANT ADVISORY COMMITTEE RECOMMENDS THE BOARD OF MEDICAL EXAMINERS APPROVE CHANGING 847-050-0041 (8)(A) TO ADD "BY JANUARY 2006," TO THE BEGINNING OF THE SUBSECTION OF THE RULE.**

Motion dies for lack of second

It was moved and seconded that

**THE PHYSICIAN ASSISTANT ADVISORY COMMITTEE RECOMMENDS THE BOARD OF MEDICAL EXAMINERS APPROVE THE PROPOSED CHANGES TO OAR 847-050-0026, OAR 847-050-0041, AND OAR 847-050-0065 AS SUBMITTED.**

Members present voted unanimously to pass the motion

**PROPOSED ADMINISTRATIVE RULE CHANGES: FIRST REVIEW  
OAR 847-050-0025 INTERVIEW AND EXAMINATION**

***EXHIBIT B***

The Committee stated that the fiscal impact for this rule would be the cost of travel and possible overnight accommodations for PAs and supervising physicians required to be interviewed by the Committee and/or Board.

The Committee also stated that supervising physicians may lose income associated with time away from the office if required to attend an interview at the Board.

It was moved and seconded that

**THE PHYSICIAN ASSISTANT ADVISORY COMMITTEE RECOMMENDS THE BOARD OF MEDICAL EXAMINERS APPROVE THE PROPOSED CHANGES TO OAR 847-050-0025 (1) AS SUBMITTED.**

Members present voted unanimously to pass the motion

**HB 3238 – B: GUIDELINES TO BE USED IN DETERMINING FISCAL IMPACT OF  
PROPOSED RULEMAKING**

***EXHIBIT C***

Jen Lannigan, PhD, explained that House Bill 3238 – B outlined the role of the Advisory Committee and detailed what the fiscal impact statements, particularly for small businesses, must contain. Dr. Lannigan further explained that the Committee should take the opinion of a Committee member who represents small business into consideration when making the fiscal impact statement.

**DRAFT AN AWARENESS STATEMENT REGARDING THE USAGE OF “AGENT” IN MULTI-PRACTITIONER SETTINGS AS DEFINED BY OAR 847-050-0010(1) AND DISCUSS POSSIBLE LEGISLATION TO CLARIFY ISSUE**

It was moved and seconded that

**THE PHYSICIAN ASSISTANT ADVISORY COMMITTEE RECOMMENDS THE BOARD OF MEDICAL EXAMINERS APPROVE THE PROPOSED AMENDMENTS TO OAR 847-050-0010(1) AS FOLLOWS: “ ‘AGENT’ MEANS A PHYSICIAN DESIGNATED BY THE SUPERVISING PHYSICIAN WHO PROVIDES DIRECTION OF THE MEDICAL SERVICES OF A PHYSICIAN ASSISTANT FOR A PREDETERMINED PERIOD OF TIME.”**

Members present voted unanimously to pass the motion

***Please see additional entry under “15 Minute Public Comment” section on page 1352.***

It was moved that

**THE PHYSICIAN ASSISTANT ADVISORY COMMITTEE RECOMMENDS THE BOARD OF MEDICAL EXAMINERS NOT APPROVE THE REACTIVATION OF CLIENT 26862'S OREGON PHYSICIAN ASSISTANT LICENSE UNTIL SUCH TIME AS CLIENT 26862 SUBMITS REQUIRED DOCUMENTATION OF 25 HOURS OF CATEGORY I CONTINUING MEDICAL EDUCATION (CME) PER EACH 12-MONTH PERIOD THAT SHE HAS NOT PRACTICED AS A PHYSICIAN ASSISTANT.**

Members present voted unanimously to pass the motion

The Committee wishes to inform Client 26862 that the current CME requirement is 40 hours as 19 months have lapsed since she ceased practice as a PA and, as time continues to pass, the CME requirement will be adjusted accordingly.

**NOTE: 1/13/06 – The Board accepted the aforementioned Committee recommendation.**

**WORKING LUNCH**

**APPROVAL OF NEW LICENSES AND PRACTICE CHANGES REQUIRING COMMITTEE REVIEW**

| PA – License #<br>Supervising Physician – License #  | Specialty,<br>Primary Practice | Reason for Review               |
|--|--------------------------------|---------------------------------|
| Susan L. Bauman, PA00578<br>Minot Cleveland, MD12456 | EM, Portland<br>I, Portland    | Secondary Supervising Physician |

**Committee Recommendation:**

Approve Minot Cleveland, MD, as a supervising physician for Susan L. Bauman, PA, per submitted practice description with Schedule II-V prescription privileges and the following amendments: None.

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| Kimberly C. Biggs, LL15793<br>Bernard A. Gasch, MD24345 | D, Portland<br>D, Portland | New Physician Assistant |
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**Committee Recommendation:**

Approve Kimberly C. Biggs, as a physician assistant in the State of Oregon under the supervision of Bernard A. Gasch, MD, per submitted practice description with Schedule II-V prescription privileges and the following amendments: Shave, punch, and excisional biopsies; V-Beam, IPL, and GentleYag laser; and Microdermabrasion are approved under Personal Supervision.

Pursuant to the Board's decision of 1/14/05, Restylane is amended to read "Restylane injections and filler on the face only, for cosmetic purposes only" and is approved under Personal Supervision. "Botox" is amended to read "Botox injections and filler on the face only, for cosmetic purposes only" and is approved under Personal Supervision. Dr. Gasch must present the Board with proof that Ms. Biggs has observed at least 10 procedures, performed at least 10 procedures under Personal Supervision, and attended a full-day (8-hour) training to receive Board approval to perform the procedure(s) under Direct Supervision. Pursuant to OAR 847-050-0010 (8) (c), "Personal Supervision means the supervising physician or designated agent must be at the side of the physician assistant at all times, personally directing the action of the physician assistant." Dr. Gasch must provide the Board with documentation of training and a letter of competency for review and approval before Ms. Biggs may receive Board approval to perform the procedure(s) under supervision other than Personal. The letter should include the frequency and quantity that the above-mentioned procedures have been performed by Ms. Biggs as well as Dr. Gasch.

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| <b>Robert S. Brookshire, PA00907<br/>Christopher Thoming, MD15349</b> | <b>TRS, Portland<br/>I, Portland</b> | <b>Secondary Supervising Physician</b> |
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**Committee Recommendation:**

Approve Christopher Thoming, MD, as a supervising physician for Robert S. Brookshire, PA, per submitted practice description with Schedule II-V prescription privileges and the following amendments: Flexible bronchoscopy is revised to read "flexible bronchoscopy therapeutic on intubated patients only" and is approved under personal supervision.

Conscious sedation is not approved pending the fulfillment of the following criteria, pursuant to the Board's decision July 9, 2004: physician assistant must receive hospital privileges; physician assistant may only perform conscious sedation at the hospital which granted conscious sedation certification and privilege; physician assistant may only perform conscious sedation under Direct Supervision of the supervising physician or the physician's assigned agent.

"Central line"; "Arterial Line"; "Thoracostomy tube"; and "Pulmonary artery catheter" require further clarification and are not approved prior to receipt of this clarification.

Pursuant to OAR 847-050-0010 (8) (c), "Personal Supervision" means the supervising physician or designated agent must be at the side of the physician assistant at all times, personally directing the action of the physician assistant. "Direct Supervision" means the supervising physician or designated agent must be in the facility when the physician assistant is practicing. Dr. Thoming must provide the Board with documentation of training and a letter of competency for review and approval before Mr. Brookshire may receive Board approval to perform the procedure(s) under supervision other than personal.

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| <b>Jeffrey T. Caba, PA00786<br/>Michael N. Harris, MD12273</b> | <b>I, Bend<br/>I, Bend</b> | <b>Practice Description Revision</b> |
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**Committee Recommendation:**

Approve the request of Michael N. Harris, MD, to add "conducting stress echocardiograms, adenosine nuclear tests, and dobutamine stress tests" to the practice description of Jeffrey T. Caba, PA, under General Supervision. Pursuant to OAR 847-050-0010 (8) (b), "General Supervision means the supervising physician or designated agent is not on-site with the physician assistant, but is available for direct communication, either in person or by telephone, radio, radiotelephone, television or similar means.

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| <b>Abby L. Coats, LL15782<br/>David L. Street, MD15510</b> | <b>GS, Medford<br/>GS, Medford</b> | <b>New Physician Assistant</b> |
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**Committee Recommendation:**

Approve Abby L. Coats, as a physician assistant in the State of Oregon under the supervision of David L. Street, MD, per submitted practice description with Schedule II-V prescription privileges and the following amendments: None.

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| <b>Loretta Fern Docekal, LL15744<br/>Randy L. Reese, MD17594</b> | <b>FP, Veneta<br/>FP, Veneta</b> | <b>New Physician Assistant</b> |
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**Committee Recommendation:**

Approve Loretta Fern Docekal, as a physician assistant in the State of Oregon under the supervision of Randy L. Reese, MD, per submitted practice description with Schedule II - V prescription privileges and the following amendments: Reduction of dislocations and minor fractures is not approved. Emergency administering is not approved as physician will be available to issue a verbal and/or standing order. The Board requests clarification from Dr. Reese as to which extremities Ms. Docekal will be treating. The Board also requests a detailed explanation of what Dr. Reese means by the word "minor".

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| Joan P. Duncan, PA00609<br>Carlos E. Marchini, MD16808 | I, Grants Pass<br>I, Grants Pass | Primary Supervising Physician |
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**Committee Recommendation:**

Approve Carlos E. Marchini, MD, as a supervising physician for Joan P. Duncan, PA, per submitted practice description with Schedule III-Vprescription privileges and the following amendments: None.

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| Rebecca A. Fine, LL15817<br>Bryan D. Walls, DO20625 | FP, Portland<br>FP, Portland | New Physician Assistant |
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**Committee Recommendation:**

Approve Rebecca A. Fine, as a physician assistant in the State of Oregon under the supervision of Bryan D. Walls, DO, per submitted practice description with Schedule II-V prescription privileges and the following amendments: Colposcopy, IUD insertion, and Endometrial Biopsy are approved under Personal Supervision. IUD removal is revised read "IUD removal with string visible" and is approved under General Supervision. Pursuant to OAR 847-050-0010 (8), Personal Supervision means the supervising physician or designated agent must be at the side of the physician assistant at all times, personally directing the action of the physician assistant. Dr. Walls must provide the Board with documentation of training and a letter of competency for review and approval before Ms. Fine may receive Board approval to perform the procedure(s) under supervision other than Personal. General Supervision means the supervising physician or designated agent is not on-site with the physician assistant, but is available for direct communication, either in person or by telephone, radio, radiotelephone, television or similar means.

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| Caroline M. Fung, PA00763<br>Lisa L. McCluskey, MD21717 | GYN, Portland<br>OBG, Portland | Secondary Supervising Physician |
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**Committee Recommendation:**

Approve Lisa L. McCluskey, MD, as a supervising physician for Caroline M. Fung, PA, per submitted practice description with Schedule II-Vprescription privileges and the following amendments: Colposcopy with cervical/endometrial/vaginal/vulvar biopsies; paracentesis; and Port-a-cath removal are approved under Personal Supervision. Pursuant to OAR 847-050-0010 (8) (c), "Personal Supervision means the supervising physician or designated agent must be at the side of the physician assistant at all times, personally directing the action of the physician assistant." Dr. McCluskey must provide the Board with documentation of training and a letter of competency for review and approval, before Ms. Fung may receive Board approval to perform the procedure(s) under supervision other than personal. The letter should include the frequency and quantity of the aforementioned procedures that have been performed by both Dr. McCluskey as well as Ms. Fung.

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| <b>Teresa L. George, PA00925</b><br><b>Michael E. Goodenberger, MD16625</b> | <b>D, Salem</b><br><b>D, Salem</b> | <b>Practice Description Revision</b> |
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**Committee Recommendation:**

Approve the request of Michael E. Goodenberger, MD, to add " Microdermabrasion; Chemical peels; Pulsed dye laser treatments; Excimer laser treatment for psoriasis, vitiligo, atopic dermatitis, and luekoderma; and Laser treatment for hair removal" to the practice description of Teresa L. George under Personal Supervision. Goodenberger must provide the Board with documentation of training and a letter of competency for review and approval before Ms. George may receive Board approval to perform the procedure(s) under supervision other than Personal.

Pursuant to the Board's decision of 1/14/05, Botox injections and filler is amended to read "Botox injections and filler on the face only, for cosmetic purposes only" and is approved under Personal Supervision. Dr. Goodenberger must present the Board with proof that Ms. George has observed at least 10 procedures, performed at least 10 procedures under Personal Supervision, and attended a full-day (8-hour) training to receive Board approval to perform the procedure(s) under Personal Supervision. Pursuant to OAR 847-050-0010 (8) (c), "Personal Supervision means the supervising physician or designated agent must be at the side of the physician assistant at all times, personally directing the action of the physician assistant."

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| <b>Judah Gold-Markel, PA00955</b><br><b>Marcos F. Barnatan, MD23484</b> | <b>TRS, Portland</b><br><b>VS, Portland</b> | <b>Primary Supervising Physician</b> |
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**Committee Recommendation:**

Approve Marcos F. Barnatan, MD, as a supervising physician for Judah Gold-Markel, PA, per submitted practice description with Schedule II-Vprescription privileges and the following amendments: Arterial line change and placement; needle thoracostomy; Swan-Ganz placement and management; and Tracheostomy change and management are approved under Personal Supervision. Central venous line placement and change and placement and chest tube removal, placement, and management are approved under Direct Supervision. Placement of Inferior Vena Cava filters and peripheral indwelling central catheters under fluoroscopy are not approved. Pursuant to OAR 847-050-0010 (8) (c), "Personal Supervision" means the supervising physician or designated agent must be at the side of the physician assistant at all times, personally directing the action of the physician assistant. "Direct Supervision" means the supervising physician or designated agent must in the facility when the physician assistant is practicing. Dr. Barnatan must submit a letter of competency and training for review and approval by the Board in order to request Mr. Gold-Markel perform these procedures under other levels of supervision. The letter should include the frequency and quantity that the aforementioned procedures have been performed by both Mr. Gold-Markel as well as Dr. Barnatan.

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| <b>Anthony M. Hamilton, LL15760</b><br><b>Hugh L. Gately, MD12049</b> | <b>CDS, Portland</b><br><b>CDS, Portland</b> | <b>New Physician Assistant</b> |
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**Committee Recommendation:**

Approve Anthony M. Hamilton, as a physician assistant in the State of Oregon under the supervision of Hugh L. Gately, MD, per submitted practice description with Schedule II - V prescription privileges and the following amendments: Thoracentesis; insert and remove subclavian intrajugular lines, Swan-Ganz catheters, venous and arterial cannulation, and chest tubes; and start and remove cut-downs are approved under Personal Supervision. Start and remove pacemaker wires and harvesting veins and arteries for bypass grafts are approved under Direct Supervision. Pursuant to OAR 847-050-0010 (8), "Personal Supervision means the supervising physician or designated agent must be at the side of the physician assistant at all times, personally directing the action of the physician assistant". Direct Supervision means the supervising physician or designated agent must be in the facility when the physician assistant is practicing.

Dr. Gately must provide the Board with documentation of training and a letter of competency for review and approval before Mr. Hamilton may receive Board approval to perform the procedure(s) under supervision other than Personal or Direct.

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| <b>Laura E. Hanks, PA00296</b><br><b>Steven J. Redmond, MD17365</b> | <b>I, Portland</b><br><b>I, Portland</b> | <b>Practice Description Revision</b> |
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**Committee Recommendation:**

Approve the request of Steven J. Redmond, MD, to add "Mirena & Paraguard IUD insertion" to the practice description of Laura E. Hanks, PA, under Personal Supervision. Pursuant to OAR 847-050-0010 (8) (c), "Personal Supervision" means the supervising physician or designated agent must be at the side of the physician assistant at all times, personally directing the action of the physician assistant.

The Committee asks Dr. Redmond to provide the Board with a written response to the following question: Who supervised Ms. Hanks' Mirena and Paraguard IUD insertion training?

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| <b>Eric B. Harmon, PA01019</b><br><b>Michael E. Goodenberger, MD16625</b> | <b>D, Salem</b><br><b>D, Salem</b> | <b>Practice Description Revision</b> |
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**Committee Recommendation:**

Approve the request of Michael E. Goodenberger, MD, to add " Microdermabrasion; Chemical peels; Pulsed dye laser treatments; Excimer laser treatment for psoriasis, vitiligo, atopic dermatitis, and luekoderma; and Laser treatment for hair removal" to the practice description of Eric B. Harmon, PA, under Personal Supervision. Goodenberger must provide the Board with documentation of training and a letter of competency for review and approval before Mr. Harmon may receive Board approval to perform the procedure(s) under supervision other than Personal.

Pursuant to the Board's decision of 1/14/05, Botox injections and filler is amended to read "Botox injections and filler on the face only, for cosmetic purposes only" and is approved under Personal Supervision. Dr. Goodenberger must present the Board with proof that Mr. Harmon has observed at least 10 procedures, performed at least 10 procedures under Personal Supervision, and attended a full-day (8-hour) training to receive Board approval to perform the procedure(s) under Personal Supervision. Pursuant to OAR 847-050-0010 (8) (c), "Personal Supervision means the supervising physician or designated agent must be at the side of the physician assistant at all times, personally directing the action of the physician assistant."

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| <b>Timothy Krigbaum, PA00998</b><br><b>Nora V. Takla, MD22076</b> | <b>U, Bend</b><br><b>u, Bend</b> | <b>Primary Supervising Physician</b> |
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**Committee Recommendation:**

Approve Nora V. Takla, MD, as a supervising physician for Timothy Krigbaum, PA, per submitted practice description with Schedule II-Vprescription privileges and the following amendments: Urodynamics studies; suprapubic catheter exchange; and administration of bladder drug therapies are approved under Personal Supervision. Pursuant to OAR 847-050-0010 (8), Personal Supervision means the supervising physician or designated agent must be at the side of the physician assistant at all times, personally directing the action of the physician assistant. Dr. Takla must provide the Board with documentation of training and a letter of competency for review and approval before Mr. Krigbaum may receive Board approval to perform the procedure(s) under supervision other than Personal or Direct. The letter should include the frequency and quantity that the above-mentioned procedures have been performed by both Dr. Takla as well as Mr. Krigbaum.

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| <b>Angela Marie Larrabee, PA00941</b><br><b>Michele N. Adamcak, DO14860</b> | <b>GP, Tigard</b><br><b>GP, Tigard</b> | <b>Primary Supervising Physician</b> |
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**Committee Recommendation:**

Approve Michele N. Adamcak, DO, as a supervising physician for Angela Marie Larrabee, PA, per submitted practice description with Schedule II-Vprescription privileges and the following amendments: IUD removal is revised to read "IUD removal with string showing" is approved under General Supervision. IUD insertion, Diaphragm fitting, and Endometrial biopsy with pipelle are approved under Personal Supervision. Pursuant to OAR 847-050-0010 (8) (c), "Personal Supervision means the supervising physician or designated agent must be at the side of the physician assistant at all times, personally directing the action of the physician assistant." Dr. Adamcak must provide the Board with documentation of training and a letter of competency for review and approval before Ms. Larrabee may receive Board approval to perform the procedure(s) under supervision other than Personal. The letter should include the frequency and quantity that the aforementioned procedures have been performed by both Ms. Larrabee as well as Dr. Adamcak. Pursuant to OAR 847-050-0010 (8) (b), "General Supervision means the supervising physician or designated agent is not on-site with the physician assistant, but is available for direct communication, either in person or by telephone, radio, radiotelephone, television or similar means."

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| <b>Margaret Lovell, PA01052</b><br><b>Regan Mon Look, MD20544</b> | <b>ONC, Portland</b><br><b>ONC, Portland</b> | <b>Practice Description Revision</b> |
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**Committee Recommendation:**

Approve the request of Regan Mon Look, MD to add "Paracentesis; Lumbar puncture (diagnostic and therapeutic); and Ommaya reservoir access (chemotherapy administration)" and the addition of Legacy and Providence Systems, Oregon, to the practice description of Margaret M. Lovell, PA under Personal Supervision. Pursuant to OAR 847-050-0010 (8) (c), "Personal Supervision means the supervising physician or designated agent must be at the side of the physician assistant at all times, personally directing the action of the physician assistant." Dr. Look must provide the Board with documentation of training and a letter of competency for review and approval before Ms. Lovell may receive Board approval to perform the procedure(s) under supervision other than personal. The letter should include the frequency and quantity of the aforementioned procedures that have been performed by both Dr. Look as well as Ms. Lovell.

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| <b>Margaret Lovell, PA01052</b><br><b>Ralph E. Weinstein, MD16516</b> | <b>ONC, Portland</b><br><b>ONC, Portland</b> | <b>Secondary Supervising Physician</b> |
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**Committee Recommendation:**

Approve Ralph E. Weinstein, MD, as a supervising physician for Margaret Lovell, PA, per submitted practice description with Schedule II - Vprescription privileges and the following amendments: Paracentesis; Lumbar puncture (diagnostic and therapeutic); and Ommaya reservoir access (chemotherapy administration) are approved under Personal Supervision. Pursuant to OAR 847-050-0010 (8) (c), "Personal Supervision means the supervising physician or designated agent must be at the side of the physician assistant at all times, personally directing the action of the physician assistant." Dr. Weinstein must provide the Board with documentation of training and a letter of competency for review and approval before Ms. Lovell may receive Board approval to perform the procedure(s) under supervision other than personal. The letter should include the frequency and quantity of the aforementioned procedures that have been performed by both Dr. Weinstein as well as Ms. Lovell. Emergency administering is not approved as physician will be available to issue a verbal and/or standing order.

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| <b>Scott Patrick Sherry, PA00859</b><br><b>Michael P. Hutchens, MD22603</b> | <b>AN, Portland</b><br><b>AN, Portland</b> | <b>Primary Supervising Physician</b> |
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**Committee Recommendation:**

Approve Michael P. Hutchens, MD, as a supervising physician for Scott Patrick Sherry, PA, per submitted practice description with Schedule II-V prescription privileges and the following amendments: Arterial line change and placement; Lumbar puncture; Thoracentesis; Paracentesis; Cardioversion; Venous and arterial cutdown; Pulmonary artery catheter insertion, management, and removal; Emergency Cricothyroidotomy; Emergency resternotomy; Percutaneous Tracheostomy; Transvenous pacemaker insertion; Transesophageal Echocardiography; Transthoracic Echocardiography; and Replacement of gastric and jejunal tubes are approved under Personal Supervision. Central venous line placement; Tube Thoracostomy placement, management, and removal are approved under Direct Supervision. Conscious sedation is not approved pending the fulfillment of the following criteria, pursuant to the Board's decision July 9, 2004: physician assistant must receive hospital privileges; physician assistant may only perform conscious sedation at the hospital which granted conscious sedation certification and privilege; physician assistant may only perform conscious sedation under Direct Supervision of the supervising physician or the physician's assigned agent. Fiberoptic bronchoscopy is revised to read "Flexible bronchoscopy therapeutic on intubated patients only" and is approved under Personal Supervision. Pursuant to OAR 847-050-0010 (8) (c), "Personal Supervision means the supervising physician or designated agent must be at the side of the physician assistant at all times, personally directing the action of the physician assistant." "Direct Supervision means the supervising physician or designated agent must be in the facility when the physician assistant is practicing." Dr. Hutchens must provide the Board with documentation of training and a letter of competency for review and approval before Mr. Sherry may receive Board approval to perform the procedure(s) under supervision other than Personal or Direct.

**NOTE: 1/13/06 – The Board amended the Committee’s approval as follows:**

Approve Michael P. Hutchens, MD, as a supervising physician for Scott Patrick Sherry, PA, per submitted practice description with Schedule II-V prescription privileges and the following amendments: Arterial line change and placement; Lumbar puncture; Thoracentesis; Paracentesis; Cardioversion; Venous and arterial cutdown; Pulmonary artery catheter insertion, management, and removal; Emergency Cricothyroidotomy; Emergency resternotomy; Percutaneous Tracheostomy; Transvenous pacemaker insertion; Transesophageal Echocardiography; Transthoracic Echocardiography; and Replacement of gastric and jejunal tubes are **not approved**. Central venous line placement; Tube Thoracostomy placement, management, and removal are not approved. Conscious Sedation is **not approved**. Fiberoptic bronchoscopy is **not approved**.

***Dr. Michael P.Hutchens' registered specialty with the Board is anesthesiology. As many of the aforementioned procedures are not typical procedures that an anesthesiologist performs, the Board did not approve Dr. Hutchens' request to supervise Mr. Sherry's performance of them.***

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| <b>Laura C. Smith, PA00905</b><br><b>Connie L. Grady, MD21306</b> | <b>I, Roseburg</b><br><b>I, Roseburg</b> | <b>Practice Description Revision</b> |
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**Committee Recommendation:**

Approve the request of Connie L. Grady, MD, to add Dexa bone density scanning and review to the practice description of Laura C. Smith, PA, under General Supervision. Pursuant to OAR 847-050-0010 (8) (b), "General Supervision means the supervising physician or designated agent is not on-site with the physician assistant, but is available for direct communication, either in person or by telephone, radio, radiotelephone, television or similar means."

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| <b>Antonina Pavlovna Strickland, LL15597<br/>Randall V. Bream, MD22201</b> | <b>C, Corvallis<br/>C, Corvallis</b> | <b>Practice Description Revision</b> |
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**Committee Recommendation:**

Approve the request of Randall V. Bream, MD, to add "perform treadmill, pharmacologic, and nuclear stress tests" to the practice description of Antonina Strickland, PA, under General Supervision. Pursuant to OAR 847-050-0010 (8) (b), "General Supervision means the supervising physician or designated agent is not on-site with the physician assistant, but is available for direct communication, either in person or by telephone, radio, radiotelephone, television or similar means."

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| <b>Amy L. Ullan, PA00780<br/>Michael E. Goodenberger, MD16625</b> | <b>D, Salem<br/>D, Salem</b> | <b>Practice Description Revision</b> |
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**Committee Recommendation:**

Approve the request of Michael E. Goodenberger, MD, to add " Microdermabrasion; Chemical peels; Pulsed dye laser treatments; Excimer laser treatment for psoriasis, vitiligo, atopic dermatitis, and leukoderma; and Laser treatment for hair removal" to the practice description of Amy L. Ullan, PA, under Personal Supervision. Goodenberger must provide the Board with documentation of training and a letter of competency for review and approval before Ms. Ullan may receive Board approval to perform the procedure(s) under supervision other than Personal.

Pursuant to the Board's decision of 1/14/05, Botox injections and filler is amended to read "Botox injections and filler on the face only, for cosmetic purposes only" and is approved under Personal Supervision. Dr. Goodenberger must present the Board with proof that Ms. Ullan has observed at least 10 procedures, performed at least 10 procedures under Personal Supervision, and attended a full-day (8-hour) training to receive Board approval to perform the procedure(s) under Personal Supervision. Pursuant to OAR 847-050-0010 (8) (c), "Personal Supervision means the supervising physician or designated agent must be at the side of the physician assistant at all times, personally directing the action of the physician assistant."

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| <b>Paul D. Wacek, LL15473<br/>Michael P. Hutchens, MD22603</b> | <b>AN, Portland<br/>AN, Portland</b> | <b>New Physician Assistant</b> |
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**Committee Recommendation:**

Approve Paul D. Wacek, as a physician assistant in the State of Oregon under the supervision of Michael P. Hutchens, MD, per submitted practice description with Schedule II - V prescription privileges and the following amendments: Thoracostomy tube placement and removal; arterial blood line placement and removal; and central line placement and removal are approved under personal supervision. IV Conscious Sedation is not approved pending the fulfillment of the following criteria, pursuant to the Board's decision July 9, 2004: physician assistant must receive hospital privileges; physician assistant may only perform conscious sedation at the hospital which granted conscious sedation certification and privilege; physician assistant may only perform conscious sedation under Direct Supervision of the supervising physician or the physician's assigned agent. Emergency administering is not approved as physician will be available to issue a verbal and/or standing order. Pursuant to OAR 847-050-0010 (8) (c), "Personal Supervision" means the supervising physician or designated agent must be at the side of the physician assistant at all times, personally directing the action of the physician assistant. "Direct Supervision" means the supervising physician or designated agent must in the facility when the physician assistant is practicing. Dr. Hutchens must provide the Board with documentation of training and a letter of competency for review and approval before Mr. Wacek may receive Board approval to perform the procedure(s) under supervision other than personal.

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| Scott E. Wagon, LL15750<br>Salvador M. Ortega, MD18998 | FP, Salem<br>FP, Salem | New Physician Assistant |
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**Committee Recommendation:**

Approve Scott E. Wagon, as a physician assistant in the State of Oregon under the supervision of Salvador M. Ortega, MD, per submitted practice description with Schedule II - V prescription privileges and the following amendments: Endometrial biopsy and IUD insertion are approved under Personal Supervision. Pursuant to OAR 847-050-0010 (8), Personal Supervision means the supervising physician or designated agent must be at the side of the physician assistant at all times, personally directing the action of the physician assistant. Dr. Ortega must provide the Board with documentation of training and a letter of competency for review and approval before Mr. Wagon may receive Board approval to perform the procedure(s) under supervision other than Personal. The letter should include the frequency and quantity that the aforementioned procedures have been performed by both Mr. Wagon as well as Dr. Ortega.

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| Erika L. Wilson, PA00478<br>Sonia J. Schuemann, MD20946 | FP, Hood River<br>FP, Hood River | Practice Description Revision |
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**Committee Recommendation:**

Approve the request of Sonia J. Schuemann, MD, to revise the practice description of Erika L. Wilson, PA, by changing the following from Direct Supervision to General Supervision: Laser hair removal; laser vein treatment; Intense Pulse Light (LPL) treatment; soft tissue filler injections (and associated dental blocks); Superficial chemical resurfacing; and Microdermabrasion.

**NOTE: 1/13/06 – The Board amended the Committee’s approval as follows:**

The request of Sonia J. Schuemann, MD, to revise the practice description of Erika L. Wilson, PA, by changing the following from Direct Supervision to General Supervision: Laser hair removal; laser vein treatment; Intense Pulse Light (LPL) treatment; soft tissue filler injections (and associated dental blocks); Superficial chemical resurfacing; and Microdermabrasion is **not approved. The aforementioned procedures are to remain under Direct Supervision.** Pursuant to OAR 847-050-0010 (8) (a), "Direct Supervision means the supervising physician or designated agent must be in the facility when the physician assistant is practicing."

It was moved and seconded that

**THE PHYSICIAN ASSISTANT COMMITTEE RECOMMENDS THE BOARD OF MEDICAL EXAMINERS APPROVE THE AFOREMENTIONED RECOMMENDATIONS.**

Members present voted unanimously to pass the motion.

**NEW LICENSEE CONSENT AGENDA**

| <b>Physician Assistant / License Specialty / Primary Practice Site</b>        | <b>Supervising Physician / License Specialty / Primary Practice Site</b>  |
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| Emad Salam Aboujaoude, LL15794<br>ORS, Portland                               | Dennis C Crawford, MD23753<br>ORS, Portland                               |
| Melissa Thue Arndt, LL15700<br>FP, Hood River                                 | Constance M. Serra, MD20683<br>FP, Hood River                             |
| Juliene Burgess Bottom, LL15802<br>FP, Gresham                                | Paul V. Podett, MD18120<br>FP, Gresham                                    |
| Richard D. Cunliffe, LL15666<br>ORS, Salem                                    | Blake Nonweiler, MD19775<br>ORS, Salem                                    |
| Richard D. Cunliffe, LL15666<br>ORS, Salem <i>Relationship termed 9/15/05</i> | J. Mark Roberts, MD15458<br>ORS, Salem <i>Relationship termed 9/15/05</i> |
| Richard D. Cunliffe, LL15666<br>ORS, Salem                                    | Dan G. Sewell, MD23719<br>ORS, Salem                                      |
| Richard D. Cunliffe, LL15666<br>ORS, Salem                                    | David A. Thorsett, MD20070<br>ORS, Salem                                  |
| Theresa J. Curran, LL15764<br>I, Lincoln City                                 | Robert L. Oksenholt, DO17321<br>I, Lincoln City                           |
| Alicja Katarzyna Czerwinski, LL15792<br>C, Hillsboro                          | Charles Chang-Yop Oh, MD20834<br>C, Hillsboro                             |
| Charles W. Dowell, LL15788<br>ORS, Vancouver, WA                              | Edward A. Sparling, MD21234<br>ORS, Vancouver, WA                         |
| Anthony C. Eames, LL15799<br>ORS, Portland                                    | Adam Barmada, MD23796<br>ORS, Portland                                    |
| James T. Ferguson, LL15691<br>FP, Salem                                       | Susan C. Lang, MD13660<br>FP, Salem                                       |
| Deena L. Ford, LL15703<br>NEP, Portland                                       | Edward G. Kuehnel, MD09740<br>NEP, Portland                               |
| Lesia Ann Hill, LL15816<br>OBG, Eugene  | Douglas J. Austin, MD20456<br>OBG, Eugene                                 |
| Benjamin John Hochhalter, LL15805<br>ORS, Corvallis                           | John J. Coen, MD21639<br>ORS, Corvallis                                   |
| Chad A. Jorgensen, LL15751<br>U, Springfield                                  | Douglas G. Hoff, MD24852<br>U, Springfield                                |
| Daniel Earl Kelley, LL15800<br>I, Portland                                    | Kenneth Paul Melvin, MD24232<br>I, Portland                               |
| Clara LaBoy, LL15801<br>I, Hillsboro  | Edmundo Rosales, MD16949<br>I, Hillsboro                                  |

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| <b>Robert D. Love, LL15745<br/>CDS, Medford</b>            | <b>David L. Folsom, MD18962<br/>CDS, Medford</b>        |
| <b>Kristofer R. McAllister, LL15765<br/>I, Boardman</b>    | <b>Robert J. Boss, MD09837<br/>I, Boardman</b>          |
| <b>Amanda F. Miller, LL15731<br/>PL, Portland</b>          | <b>Juliana E. Hansen, MD19925<br/>PL, Portland</b>      |
| <b>Jonathan Joseph Neal, LL15818<br/>FP, Klamath Falls</b> | <b>Norma J. Nehren, MD24096<br/>FP, Klamath Falls</b>   |
| <b>Julia L.C. Pulliam, LL15721<br/>FP, Dallas</b>          | <b>Christopher W. Edwardson, MD13699<br/>FP, Dallas</b> |
| <b>Kenneth L. Reckard, LL15737<br/>GE, Portland</b>        | <b>Alan Kaynard, MD22438<br/>GE, Portland</b>           |
| <b>Christopher R. Russell, LL15808<br/>I, Bend</b>         | <b>Gilbert B. Lee, MD12003<br/>I, Bend</b>              |
| <b>Jessica I. Schlump, LL15736<br/>FP, Stayton</b>         | <b>Dean A. Yeager, MD17697<br/>FP, Stayton</b>          |
| <b>Jennifer S. Semmelroth, LL15783<br/>FP, Salem</b>       | <b>Daniel K. Harris, MD19927<br/>FP, Salem</b>          |
| <b>Rebecca R. Vose, LL15791<br/>FP, Medford</b>            | <b>Robert W. Eckert, MD24005<br/>FP, Medford</b>        |
| <b>Alex J. Zamora, LL15684<br/>CDS, Corvallis</b>          | <b>Juan R. Oyarzun, MD22709<br/>CDS, Corvallis</b>      |

It was moved and seconded that

**THE PHYSICIAN ASSISTANT ADVISORY COMMITTEE RECOMMENDS THE BOARD OF MEDICAL EXAMINERS APPROVE THE ABOVE LISTED NEW LICENSEE CONSENT AGENDA ITEMS.**

Members present voted unanimously to pass the motion.

## PA COMMITTEE CONSENT AGENDA

| Physician Assistant / License Specialty / Primary Practice Site | Reason for Review | Supervising Physician / License Specialty / Primary Practice Site |
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### SCHEDULE II PRESCRIPTION PRIVILEGES

Committee Recommendation:

Approve the addition of Schedule II prescription privileges to the practice descriptions of following physician assistants, under the supervision of the listed supervising physicians.

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| Sharon D. DeHart, PA00762<br>FP, Lebanon      |  | Richard C. Evans, MD15316<br>FP, Lebanon     |
| Paul J. Fieber, PA00806<br>FP, Roseburg       |  | James J. Hoyne, DO1949<br>FP, Roseburg       |
| Jonathan W. Gietzen, PA00694<br>FP, Beaverton |  | Sean L. Steward, MD19497<br>EM, Forest Grove |
| Jeffrey K. Herbert, PA00572<br>GS, Medford    |  | David L. Street, MD15510<br>GS, Medford      |
| Glen M. Wulf, PA00975<br>ORS, Bend            |  | Michael R. Coe, MD18258<br>ORS, Bend         |

| Physician Assistant / License Specialty / Primary Practice Site | Reason for Review | Supervising Physician / License Specialty / Primary Practice Site |
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| Alan D. Albright, PA00400<br>EM, Portland | Secondary Supervising Physician | Alex Herzberg, MD21166<br>ORS, Portland |
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Committee Recommendation:

Approve Alex Herzberg, MD, as a supervising physician for Alan D. Albright, PA, per submitted practice description with Schedule III-V prescription privileges and the following amendments: None.

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| Clyde Terry Bancroft, PA0866<br>EM, Medford | Primary Supervising Physician | Kenneth R. Buccino, MD21074<br>EM, Medford |
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Committee Recommendation:

Approve Kenneth R. Buccino, MD, as a supervising physician for Clyde Terry Bancroft, PA, per submitted practice description with Schedule II-V prescription privileges and the following amendments: None.

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| Aubrey A. Banovic, PA00987<br>GE, Portland | Primary Supervising Physician | Christopher Carter, MD13431<br>GE, Portland |
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Committee Recommendation:

Approve Christopher Carter, MD, as a supervising physician for Aubrey A. Banovic, PA, per submitted practice description with Schedule III-V prescription privileges and the following amendments: None.

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| John David Berlingeri, PA00745<br>EM, Medford | Primary Supervising Physician | Kenneth R. Buccino, MD21074<br>EM, Medford |
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Committee Recommendation:

Approve Kenneth R. Buccino, MD, as a supervising physician for John David Berlingeri, PA, per submitted practice description with Schedule III-V prescription privileges and the following amendments: None.

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| <b>Mattie-Joy E. Congdon, PA00638<br/>FP, Portland</b>                 | <b>Primary Supervising<br/>Physician</b>  | <b>Michelle L. Ritter, MD23909<br/>FP, Portland</b> |
| <b>Committee<br/>Recommendation:</b>                                   | <b>Approve Michelle L. Ritter, MD, as a supervising physician for<br/>Mattie-Joy E. Congdon, PA, per submitted practice description with<br/>Schedule II-V prescription privileges and the following<br/>amendments: None.</b>  |   |
| <b>Richard D. Cunliffe, LL15666<br/>ORS, Salem</b>                     | <b>Secondary Supervising<br/>Physician</b>  | <b>John M. Ballard, MD18687<br/>ORS, Salem</b>      |
| <b>Committee<br/>Recommendation:</b>                                   | <b>Approve John M. Ballard, MD, as a supervising physician for<br/>Richard D. Cunliffe, PA, per submitted practice description with<br/>Schedule II - V prescription privileges and the following<br/>amendments: None.</b>   |   |
| <b>Denis D. Davis, PA00931<br/>EM, Medford</b>                         | <b>Primary Supervising<br/>Physician</b>  | <b>Kenneth R. Buccino, MD21074<br/>EM, Medford</b>  |
| <b>Committee<br/>Recommendation:</b>                                   | <b>Approve Kenneth R. Buccino, MD, as a supervising physician for<br/>Denis D. Davis, PA, per submitted practice description with<br/>Schedule III-V prescription privileges and the following<br/>amendments: None.</b>  |   |
| <b>Jurandir Bezerra De Menezes Jr.,<br/>PA01048<br/>CDS, Corvallis</b> | <b>Secondary Supervising<br/>Physician</b>  | <b>Mark A. Taylor, MD24416<br/>CDS, Corvallis</b>   |
| <b>Committee<br/>Recommendation:</b>                                   | <b>Approve Mark A. Taylor, MD, as a supervising physician for<br/>Jurandir Bezerra De Menezes Jr., PA, per submitted practice<br/>description with Schedule II-V prescription privileges and the<br/>following amendments: None.</b>  |   |
| <b>Judy E. Flynn, PA00428<br/>FP, Hillsboro</b>                        | <b>Secondary Supervising<br/>Physician</b>  | <b>Shobana Rajagopal, MD25439<br/>FP, Hillsboro</b> |
| <b>Committee<br/>Recommendation:</b>                                   | <b>Approve Shobana Rajagopal, MD, as a supervising physician for<br/>Judy E. Flynn, PA, per submitted practice description with<br/>Schedule II-V prescription privileges and the following<br/>amendments: None.</b>   |   |
| <b>Hugh R. Gapay, PA01016<br/>GS, Portland</b>                         | <b>Secondary Supervising<br/>Physician</b>  | <b>Edmundo Rosales, MD16949<br/>I, Hillsboro</b>    |
| <b>Committee<br/>Recommendation:</b>                                   | <b>Approve Edmundo Rosales, MD, as a supervising physician for<br/>Hugh R. Gapay, PA, per submitted practice description with<br/>Schedule III-V prescription privileges and the following<br/>amendments: As Mr. Gapay has never worked under the<br/>supervision of Dr. Rosales, the Board required chart review is a<br/>minimum of 50% of charts for the first 30 days, 30% for the next 60<br/>days, and 20% for the next 90 days. After six months, reduce chart<br/>review to 10% of charts per month or no less than 10 charts per<br/>month.</b> |   |

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| Sylvia J. Gregory, PA00264<br>I, Eugene   | Primary Supervising<br>Physician   | Lois Garner, MD24805<br>I, Eugene         |
| Committee Recommendation: Approve Lois Garner, MD, as a supervising physician for Sylvia J. Gregory, PA, per submitted practice description with Schedule II-V prescription privileges and the following amendments: None.  |                                    |   |
| Martha E. Griffith, PA00764<br>I, Eugene  | Primary Supervising<br>Physician   | Lois Garner, MD24805<br>I, Eugene         |
| Committee Recommendation: Approve Lois Garner, MD, as a supervising physician for Martha E. Griffith, PA, per submitted practice description with Schedule III-V prescription privileges and the following amendments: None.  |                                    |   |
| James H. Johnson, III, PA01020<br>P, Bend   | Secondary Supervising<br>Physician | Joseph A. Barrett, MD24477<br>P, Bend     |
| Committee Recommendation: Approve Joseph A. Barrett, MD, as a supervising physician for James H. Johnson, III,, PA, per submitted practice description with Schedule II-V prescription privileges and the following amendments: None.   |                                    |   |
| James H. Johnson, III, PA01020<br>P, Bend   | Secondary Supervising<br>Physician | Anthony J. Monteverdi, MD26139<br>P, Bend |
| Committee Recommendation: Approve Anthony J. Monteverdi, MD, as a supervising physician for James H. Johnson, III,, PA, per submitted practice description with Schedule II-V prescription privileges and the following amendments: None.   |                                    |   |
| Sarah L. Liebler, PA01023<br>OTO, Portland  | Practice Description<br>Revision   | James I. Cohen, MD15861<br>OTO, Portland  |
| Committee Recommendation: Approve the additional practice site of Providence St. Vincent, Portland, Oregon to the practice description of Sarah L. Liebler, PA, under the supervision of James I. Cohen, MD.  |                                    |   |
| Dori M. MacDonald, PA00313<br>FP, Tualatin  | Primary Supervising<br>Physician   | Terry L. Davis, MD15876<br>FP, Tualatin   |
| Committee Recommendation: Approve Terry L. Davis, MD, as a supervising physician for Dori M. MacDonald, PA, per submitted practice description with Schedule III-V prescription privileges and the following amendments: None.  |                                    |   |
| Barbara E. Martin, PA01041<br>I, Portland   | Secondary Supervising<br>Physician | Gary D. Olbrich, MD16466<br>ADM, Portland |
| Committee Recommendation: Approve Gary D. Olbrich, MD, as a supervising physician for Barbara E. Martin, PA, per submitted practice description with Schedule II-V prescription privileges and the following amendments: As Dr. Olbrich has never before received Board approval as a supervising physician, Board required chart review is a minimum of 50% of charts for the first 30 days, 30% for the next 60 days, and 20% for the next 90 days. After six months, reduce chart review to 10% of charts per month or no less than 10 charts per month. |                                    |   |

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| <b>Marvin H. McAllister, PA00908</b><br>FP, Salem  | <b>Reactivation of License</b>  | <b>Mark W. Olson, MD09591</b><br>FP, Salem        |
| <b>Committee Recommendation:</b>                   | Approve the reactivation of Oregon physician assistant license of Marvin H. McAllister, PA, under the supervision of Mark W. Olson, MD, per the submitted practice description, with Schedule III-V prescription privileges, with the following amendments: None.   |   |
| <b>Harry J. Meisel, PA00320</b><br>FP, Springfield | <b>Primary Supervising Physician</b>  | <b>Lois Garner, MD24805</b><br>I, Eugene          |
| <b>Committee Recommendation:</b>                   | Approve Lois Garner, MD, as a supervising physician for Harry J. Meisel, PA, per submitted practice description with Schedule II-V prescription privileges and the following amendments: None.  |   |
| <b>Jeffrey B. Melnick, PA00251</b><br>FP, Gresham  | <b>Primary Supervising Physician</b>  | <b>Paul V. Podett, MD18120</b><br>FP, Gresham     |
| <b>Committee Recommendation:</b>                   | Approve Paul V. Podett, MD, as a supervising physician for Jeffrey B. Melnick, PA, per submitted practice description with Schedule II-V prescription privileges and the following amendments: As Dr. Podett has never been Board approved to supervise a physician assistant, the required chart review is a minimum of 50% of charts for the first 30 days, 30% of charts for the next 60 days, and 20% for the next 90 days. After six months, chart review may be reduced to 10% of charts, no less than 10 charts per month.   |   |
| <b>Kent J. Mercer, PA01043</b><br>FP, Depoe Bay    | <b>Secondary Supervising Physician</b>  | <b>Phillip C. Histan, MD16275</b><br>I, Corvallis |
| <b>Committee Recommendation:</b>                   | Approve Phillip C. Histan, MD, as a supervising physician for Kent J. Mercer, PA, per submitted practice description, with Schedule II-V prescription privileges and the following amendments: None.  |   |
| <b>Laura S. Montez, PA00928</b><br>PD, Gresham     | <b>Secondary Supervising Physician</b>  | <b>Melanie J. Smythe, DO19987</b><br>FP, Portland |
| <b>Committee Recommendation:</b>                   | Approve Melanie J. Smythe, MD, as a supervising physician for Laura S. Montez, PA, per submitted practice description with Schedule II-V prescription privileges and the following amendments: None.  |   |
| <b>John Richard Nelson, PA00110</b><br>I, Eugene   | <b>Secondary Supervising Physician</b>  | <b>Lois Garner, MD24805</b><br>I, Eugene          |
| <b>Committee Recommendation:</b>                   | Approve Lois Garner, MD, as a supervising physician for John Richard Nelson, PA, per submitted practice description with Schedule III-V prescription privileges and the following amendments: As Mr. Nelson's practice description with Dr. Garner creates a new supervisory relationship, Mr. Nelson is considered a "New Hire," the required chart review is a minimum 50% of charts for the first 30 days, 30% for the next 60 days, and 20% for the next 90 days. After six months, reduce chart review to 10% of charts per month or no less than 10 charts per month. |   |

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| <b>Valerie J. Nipper, PA00661<br/>ORS, Tigard</b> | <b>Primary Supervising<br/>Physician</b> | <b>Richard H. Edelson, MD18941<br/>ORS, Tigard</b> |
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**Committee Recommendation:** Approve Richard H. Edelson, MD, as a supervising physician for Valerie J. Nipper, PA, per submitted practice description with Schedule II-V prescription privileges and the following amendments: As Ms. Nipper's practice description with Dr. Edelson creates a new supervisory relationship, Ms. Nipper is considered a "New Hire," the required chart review is a minimum 50% of charts for the first 30 days, 30% for the next 60 days, and 20% for the next 90 days. After six months, reduce chart review to 10% of charts per month or no less than 10 charts per month.

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| <b>Damon W. Severt, PA00924<br/>GS, Eugene</b> | <b>Primary Supervising<br/>Physician</b> | <b>Robert M. Schauer, MD14392<br/>GS, Eugene</b> |
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**Committee Recommendation:** Approve Robert M. Schauer, MD, as a supervising physician for Damon W. Severt, PA, per submitted practice description with Schedule II-V prescription privileges and the following amendments: None.

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| <b>Ronald Alan Smith, PA00985<br/>ORS, Salem</b> | <b>Secondary Supervising<br/>Physician</b> | <b>John M. Ballard, MD18687<br/>ORS, Salem</b> |
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**Committee Recommendation:** Approve John M. Ballard, MD, as a supervising physician for Ronald Alan Smith, PA, per submitted practice description, with Schedule II-V prescription privileges and the following amendments: None.

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| <b>John G. Stanko, PA00906<br/>EM, Roseburg</b> | <b>Primary Supervising<br/>Physician</b> | <b>Paul G. Norris, MD09118<br/>EM, Roseburg</b> |
|---|--|---|

**Committee Recommendation:** Approve Paul G. Norris, MD, as a supervising physician for John G. Stanko, PA, per submitted practice description with Schedule III-V prescription privileges and the following amendments: As Mr. Stanko's practice description with Dr. Norris creates a new supervisory relationship, Mr. Stanko is considered a "New Hire," the required chart review is a minimum 50% of charts for the first 30 days, 30% for the next 60 days, and 20% for the next 90 days. After six months, reduce chart review to 10% of charts per month or no less than 10 charts per month.

|  |  |  |
|--|--|--|
| <b>Eric C. Stroud, PA00556<br/>FP, Seaside</b> | <b>Secondary Supervising<br/>Physician</b> | <b>David J. Lichter, MD14014<br/>FP, Salem</b> |
|--|--|--|

**Committee Recommendation:** Approve David J. Lichter, MD, as a supervising physician for Eric C. Stroud, PA, per submitted practice description with Schedule II-V prescription privileges and the following amendments: As Mr. Stroud's practice description with Dr. Lichter creates a new supervisory relationship, Mr. Stroud is considered a "New Hire," the required chart review is a minimum 50% of charts for the first 30 days, 30% for the next 60 days, and 20% for the next 90 days.

|  |  |   |
|--|--|---|
| <b>Eric C. Stroud, PA00556<br/>FP, Seaside</b> | <b>Primary Supervising<br/>Physician</b> | <b>Hugh C. Stelson, MD13226<br/>FP, Seaside</b> |
|--|--|---|

**Committee Recommendation:** Approve Hugh C. Stelson, MD, as a supervising physician for Eric C. Stroud, PA, per submitted practice description with Schedule II-V prescription privileges and the following amendments: None.

|   |   |   |
|---|---|---|
| Patrick A. Thies, PA00729<br>ORS, Salem     | Secondary Supervising<br>Physician  | John M. Ballard, MD18687<br>ORS, Salem        |
| Committee<br>Recommendation:                | Approve John M. Ballard, MD, as a supervising physician for Patrick A. Thies, PA, per submitted practice description with Schedule II-V prescription privileges and the following amendments: None.   |   |
| Scott E. Wagnon, LL15750<br>No, Salem       | Secondary Supervising<br>Physician  | Jimmy D. Huebert, MD23362<br>SM, Lake Oswego  |
| Committee<br>Recommendation:                | Approve Jimmy D. Huebert, MD, as a supervising physician for Scott E. Wagnon, PA, per submitted practice description with Schedule II - V prescription privileges and the following amendments: None.   |   |
| Mark A. Wells, PA00800<br>ORS, Coos Bay     | Secondary Supervising<br>Physician  | Donald C. Jones, MD11704<br>ORS, Eugene       |
| Committee<br>Recommendation:                | Approve Donald C. Jones, MD, as a supervising physician for Mark A. Wells, PA, per submitted practice description with no prescription privileges and the following amendments: None.   |   |
| Mark A. Wells, PA00800<br>ORS, Coos Bay     | Secondary Supervising<br>Physician  | Christopher N. Walton, MD17530<br>ORS, Eugene |
| Committee<br>Recommendation:                | Approve Christopher N. Walton, MD, as a supervising physician for Mark A. Wells, PA, per submitted practice description with no prescription privileges and the following amendments: None.   |   |
| Sheryl J. Williams, PA00743<br>OT, Portland | Primary Supervising<br>Physician  | John M. Epley, MD06685<br>OT, Portland        |
| Committee<br>Recommendation:                | Approve John M. Epley, MD, as a supervising physician for Sheryl J. Williams, PA, per submitted practice description with Schedule III-V prescription privileges and the following amendments: As Ms. Williams' practice description with Dr. Epley creates a new supervisory relationship, Ms. Williams is considered a "New Hire", the required chart review is a minimum 50% of charts for the first 30 days, 30% for the next 60 days, and 20% for the next 90 days. After six months, chart review may be reduced to 10% of charts per month or not less than 10 charts per month. |   |

It was moved and seconded that

**THE PHYSICIAN ASSISTANT COMMITTEE RECOMMENDS THE BOARD OF MEDICAL EXAMINERS APPROVE THE ABOVE LISTED CONSENT AGENDA.**

Members present voted unanimously to pass the motion.

## APPROVAL OF LIMITED LICENSES, SPECIAL

Aboujaoude, Emad S.  
Biggs, Kimberly C.  
Bottom, Juliene B.  
Coats, Abby L.  
Cunliffe, Richard D.  
Curran, Theresa J.  
Czerwinski, Alicja K.  
Docekal, Loretta F.  
Dowell, Charles W.  
Eames, Anthony C.

Ferguson, James T.  
Ford, Deena L.  
Hamilton, Anthony M.  
Hochhalter, Benjamin J.  
Jorgensen, Chad A.  
Kelley, Daniel E.  
LaBoy, Clara  
Love, Robert D.  
McAllister, Kristofer R.  
Miller, Amanda F.

Neal, Jonathan J.  
Pulliam, Julia L.C.  
Reckard, Kenneth L.  
Schlump, Jessica I.  
Semmelroth, Jennifer S.  
Vose, Rebecca R.  
Wacek, Paul D.  
Wagnon, Scott E.  
Zamora, Alex J.

It was moved and seconded that

**THE PHYSICIAN ASSISTANT COMMITTEE RECOMMENDS THE BOARD OF MEDICAL EXAMINERS APPROVE THE AFOREMENTIONED LIMITED LICENSES, SPECIAL.**

Members present voted unanimously to pass the motion.

## APPROVAL OF LIMITED LICENSES, POST GRADUATE

Amick, Michelle L.  
Arndt, Melissa T.

Cox, Tanya L.  
Eames, Anthony C.

Hill, Anya  
Wagnon, Scott E.

It was moved and seconded that

**THE PHYSICIAN ASSISTANT COMMITTEE RECOMMENDS THE BOARD OF MEDICAL EXAMINERS APPROVE THE AFOREMENTIONED LIMITED LICENSES, POSTGRADUATE.**

Members present voted unanimously to pass the motion.

## APPROVAL OF PA STUDENTS TRAINING IN OREGON FROM PA PROGRAMS OUTSIDE OF OREGON

| Student PA Name        | Training Dates    | Supervising Physician  | Practice Location  |
|------------------------|-------------------|------------------------|--------------------|
| Dildine, Eric          | 8/29/05-9/23/05   | Michael E. Knower, MD  | Prineville, Oregon |
| Light, Scott           | 9/26/05-10/21/05  | Richard W. Tobin, MD   | Salem, Oregon      |
| Odighizuwa, Mariontino | 9/12/05-11/16/05  | John H. Lemmer, Jr, MD | Portland, Oregon   |
| Terry, Christine       | 11/21/05-12/16/05 | Ken Tyson, DO          | Newport, Oregon    |

The Committee requested that Staff notify all the accredited Physician Assistant programs in the United States of the requirement that each program must request approval from the Board for all training in the State of Oregon.

It was moved and seconded that

**THE PHYSICIAN ASSISTANT COMMITTEE RECOMMENDS THE BOARD OF MEDICAL EXAMINERS APPROVE THE AFOREMENTIONED STUDENTS.**

Members present voted unanimously to pass the motion.

## **OTHER BUSINESS – PHYSICIAN ASSISTANTS CALLED TO ACTIVE NATIONAL GUARD DUTY**

Bruce Carlson, MD, asked what is required of him as a supervising physician if one of his physician assistants has will be deployed overseas for over a year as a member of the armed forces Reserves.

Staff reported that Dr. Carlson would be required to submit termination paperwork for the PA, thus changing the PA's status from Active to Inactive.

The Committee asked what the Board requires of physicians with similar circumstances.

Staff reported that there is a category for physicians who are in the military serving as physicians, but not treating Oregon patients called "Active Military", which allows them to have an active status when they are located in another state. Staff further explained that this designation is not extended to apply to National Guard service.

The Committee asked if a similar license status could be created for physician assistants.

**ACTION PLAN:** Put this item on the agenda of the next Committee meeting.

## **15 MINUTE PUBLIC COMMENT**

Mr. Ruback recommended that the Committee reconsider their motion to rewrite the definition for "agent" by using the word "supervision" instead of the word "direction".

It was moved and seconded that

**THE PHYSICIAN ASSISTANT COMMITTEE MOVES TO RECONSIDER THE RECOMMENDATION TO REWRITE THE AFOREMENTIONED CHANGE OF DEFINITION FOR "AGENT" WITHIN OAR 847-050-0010 (1) AS WRITTEN ON PAGE 1333 OF THESE MINUTES.**

Members present voted unanimously to pass the motion.

It was moved and seconded that

**THE PHYSICIAN ASSISTANT COMMITTEE RECOMMENDS THE BOARD OF MEDICAL EXAMINERS APPROVE AMENDING THE DEFINITION FOR "AGENT" WITHIN OAR 847-050-0010 (1) AS FOLLOWS: " 'AGENT' MEANS A PHYSICIAN DESIGNATED BY THE SUPERVISING PHYSICIAN WHO PROVIDES SUPERVISION OF THE MEDICAL SERVICES OF A PHYSICIAN ASSISTANT FOR A PREDETERMINED PERIOD OF TIME." *EXHIBIT D***

Members present voted unanimously to pass the motion.

## **APPROVE FUTURE MEETING DATES:**

**(2006 Board Dates for reference)**

|              |                                  |     |                                       |
|--------------|----------------------------------|-----|---------------------------------------|
| PA Committee | March 9, 2006                    | BME | January 12-13, 2006                   |
| PA Committee | June 8, 2006 ( <i>Proposed</i> ) | BME | April 13-14, 2006 ( <i>Proposed</i> ) |
|              |                                  | BME | July 13-14, 2006 ( <i>Proposed</i> )  |

**NOTE: 1/13/06 – The Board accepted the aforementioned Committee recommendations.**

## **ADJOURNMENT**

There being no further business to discuss, Dana Gray, PA, adjourned the meeting at 1:55 p.m.

**OREGON ADMINISTRATIVE RULES**

**CHAPTER 847, DIVISION 050 - BOARD OF MEDICAL EXAMINERS**

**PROPOSED RULES CHANGES – JANUARY 2006**

**FINAL REVIEW BY THE BOARD**

**Proposed rules make a correction to the rules text regarding the duration the Limited License, Special is valid, add requirements regarding chronic/intractable pain management authority utilizing Schedule II medications, and change “certification” to “licensure” and add Schedule II controlled substances under duties of the committee.**

**847-050-0026**

**Limited License, Special**

(1) Under the authority of the Board of Medical Examiners, the Physician Assistant Committee may grant a Limited License, Special to physician assistants not previously licensed in the state, subject to final Board approval.

(2) A Limited License, Special is valid until the next regularly scheduled [~~committee~~] **Board** meeting for which the applicant is eligible, and may be granted only if the following criteria are met:

(a) The applicant meets the qualifications of OAR 857-050-0020 (1) and (2);

(b) The application file is complete;

(c) The supervising physician has completed a practice description under ORS 677.510 to the satisfaction of the Board;

(d) The supervising physician is in good standing with the Board; and

(e) The applicant has submitted the appropriate form and fee for a Limited License, Special.

(3) Prescription privileges, including emergency dispensing and emergency administration, and remote supervision in a medically disadvantaged, underserved, or health professional shortage area may be granted with a Limited License, Special if requested by the supervising physician in the practice description.

(4) Prior to being granted a Limited License, Special, a new applicant and the supervising physician may be required to appear for an interview at the next regularly scheduled committee meeting if there are questions concerning the application or the practice description.

## **847-050-0041**

### **Prescription Privileges**

(1) An Oregon grandfathered physician assistant may issue written or oral prescriptions for medications, Schedule III-V, which the supervising physician has determined the physician assistant is qualified to prescribe commensurate with the practice description and approved by the Board if the physician assistant has passed a specialty examination approved by the Board prior to July 12, 1984, and the conditions in (2) (a) and (b) are met.

(2) A physician assistant may issue written or oral prescriptions for medications, Schedule II-V, which the supervising physician has determined the physician assistant is qualified to prescribe commensurate with the practice description and approved by the Board if the following conditions are met:

(a) The physician assistant has met the requirements of OAR 847-050-0020(1); or is an Oregon grandfathered physician assistant who has passed the Physician Assistant National Certifying Examination (PANCE).

(b) The applicant must document adequate training and/or experience in pharmacology commensurate with the practice description;

(c) The Board may require the applicant to pass a pharmacological examination which may be written, oral, practical, or any combination thereof based on the practice description.

(d) **Schedule II.** An application for Schedule II controlled substances prescription privileges must be submitted to the Board by the physician assistant's supervising physician and must be accompanied by the practice description of the physician assistant. The Schedule II controlled substances prescription privileges of a physician assistant shall be limited by the practice description approved by the board and may be restricted further by the supervising physician at any time. To be eligible for Schedule II controlled

substances prescription privileges, a physician assistant must be certified by the National Commission for the Certification of Physician Assistants and must complete all required continuing medical education coursework.

(3) The prescribing physician assistant, to be authorized to issue prescriptions for Schedules II through V controlled substances, must be registered with the Federal Drug Enforcement Administration.

(4) Written prescriptions shall be on a blank which includes the printed or handwritten name, office address, and telephone number of the supervising physician and the printed or handwritten name of the physician assistant. The prescription shall also bear the name of the patient and the date on which the prescription was written. The physician assistant shall sign the prescription and the signature shall be followed by the letter "P.A." Also the physician assistant's Federal Drug Enforcement Administration number shall be shown on prescriptions for controlled substances.

(5) **Emergency administration and emergency dispensing.** A licensed physician assistant may make application to the Board for emergency administering and dispensing authority. The application must be submitted in writing to the Board by the supervising physician and must explain the need for the request, as follows:

- (a) Location of the practice site;
- (b) Accessibility to the nearest pharmacy, and
- (c) Medical necessity for emergency administering or dispensing.

(6) The dispensed medication must be pre-packaged by a licensed pharmacist, manufacturing drug outlet or wholesale drug outlet authorized to do so under ORS 689 and the physician assistant shall maintain records of receipt and distribution.

(7) A physician who supervises a physician assistant who is applying for emergency dispensing privileges must be registered with the Board of Medical Examiners as a dispensing physician.

**(8) Chronic/intractable pain management authority utilizing Schedule II medications.**

**(a) Physician assistants and their supervising physicians must meet the following requirements in order for physician assistants to be granted chronic/intractable pain management authority, under general supervision:**

**(A) The physician assistant must have completed six (6) hours of accredited training in chronic/intractable pain management and a one (1) hour pain management course specific to the State of Oregon provided by the Pain Management Commission;**

**(B) The supervising physician must have DEA certification for Schedule II medications;**

**(b) Supervising physicians must review a minimum of ten (10) percent of physician assistant patient charts regarding chronic/intractable pain management with Schedule II medications for one year following approval of physician assistant chronic/intractable pain management authority.**

**847-050-0065**

#### **Duties of the Committee**

The Physician Assistant Committee shall:

- (1) Review all applications for physician assistants' [~~certification~~] **licensure** and for renewal thereof.
- (2) Review applications of physician assistants for dispensing privileges.
- (3) Recommend approval or disapproval of applications submitted under subsection (1) or (2) of this section to the Board of Medical Examiners for the State of Oregon.
- (4) Recommend criteria to be used in granting dispensing privileges under ORS 677.515.
- (5) Recommend the formulary for prescriptive privileges which may include all or parts of Schedules **II, III, IV and V** controlled substances and the procedures for physician assistants and supervising physicians to follow in exercising the prescriptive privileges.
- (6) Recommend the approval, disapproval, or modification of the application for prescriptive privileges for any physician assistant.
- (7) All actions of the physician assistant committee shall be subject to review and approval by the Board.

**OREGON ADMINISTRATIVE RULES**

**OREGON ADMINISTRATIVE RULES**

**CHAPTER 847, DIVISION 050 - BOARD OF MEDICAL EXAMINERS**

**PROPOSED RULES CHANGES – JANUARY 2006**

**FIRST REVIEW BY THE BOARD**

**847-050-0025**

**Interview and Examination**

**(1)** In addition to all other requirements, the Board may require prior to original licensure the applicant and the applicant's supervising physician to appear for a personal interview if there are questions concerning the application or the practice description. In addition to the interview, if there is reasonable cause to question the qualifications of the applicant, or if the applicant has not worked as a physician assistant for a period of 12 or more consecutive months, the Board may require the applicant to do one or more of the following:

~~[(1)]~~ **(a)** Pass the ~~[Physician Assistant National Certifying Examination (PANCE)]~~ **examination** given by the National Commission on the Certification of Physician Assistants (N.C.C.P.A.);

~~[(2)]~~ **(b)** Provide documentation of current N.C.C.P.A. certification;

~~[(3)]~~ **(c)** Document 25 hours of Category I continuing medical education acceptable to the Board for every year the applicant has ceased practice prior to application for Oregon licensure. Category I continuing education that meets N.C.C.P.A.'s recertification requirements would qualify as Board approved continuing education.

**(2) The applicant and the applicant's supervising physician who has not been previously Board-approved as a supervising physician shall be required to pass an open-book examination on the Medical Practice Act (ORS Chapter 677) and Oregon Administrative Rules (OAR) Chapter 847, Division 050.**

**(a) If an applicant fails the open-book examination three times, the applicant's application will be reviewed by the Physician Assistant Committee of the Board of Medical Examiners. An applicant who has failed the open-book examination three times must also attend, with the applicant's supervising physician, an informal meeting with a Board member, a Board investigator and/or the Medical Director of the Board to discuss the applicant's failure of the examination, before being given a fourth and final attempt to pass the examination. If the applicant does not pass the examination on the fourth attempt, the applicant may be denied licensure.**

**(b) If the applicant's supervising physician fails the open-book examination three times, the physician's request to supervise the applicant's practice as documented in the practice description will be reviewed by the Physician Assistant Committee of the Board of Medical Examiners. An applicant's supervising physician who has failed the open-book examination three times must also attend an informal meeting with a Board member, a Board investigator and/or the Medical Director of the Board to discuss the supervising physician's failure of the examination, before being given a fourth and final attempt to pass the examination. If the applicant's supervising physician does not pass the examination on the fourth attempt, the physician's request to supervise the applicant's practice as documented in the practice description may be denied.**

**Oregon Board of Medical Examiners**  
Licensing Department

# Memo

To: **Advisory Committees**  
From: Jen Lannigan, Licensing Coordinator  
Date: November 16, 2005  
Re: **HB 3238B: Guidelines for Determining Fiscal Impact of Proposed Rulemaking**

## The Role of the Advisory Committee

- Advise Board on what the fiscal impact statement should say
- Advise Board on the fiscal impact (positive or adverse) to the Board, other governmental entities, and the public, particularly small businesses (<50 employees and for profit)
- Advise Board on whether the fiscal impact is “significant and adverse” on small businesses
- If fiscal impact is “significant and adverse” on small businesses, advise Board how the Board can comply with ORS 183.540 (see attached) by any of the following:
  - Alternative compliance or reporting requirements for small businesses
  - Simpler or consolidated requirements for small businesses
  - Waiver/exemption from requirement of rule for small businesses
  - Any other means to establish less intrusive or less costly alternatives for small businesses

## Fiscal Impact Statements for small businesses must contain:

- Estimate of number of small businesses that have to comply (e.g., 400 clinics); if estimate not possible, give explanation of why not
- Description of industries impacted
- Description of what “comply” means and how small businesses will comply
- Description (not an estimate) of out-of-pocket expenses required for compliance
- Description of how small business was involved in the rule development

In preparing Fiscal Impact Statement, agency must consider available information but does not have to do original research.

*The following information has been provided by Christine Chute, DOJ.*

HB 3238 (2005) has been or will be signed by the Governor and will take effect in January. The bill relates to rulemaking, with an emphasis on the role of advisory committees, fiscal impact statements, and review of new rules. Although the statute does not take effect until January, at least one part of the bill may require agency action before the bill takes effect.

Under section four's amendments to ORS 183.333, agencies that appoint advisory committees to work on rules must ask the advisory committee for recommendations on whether the rules "will have a fiscal impact, what the extent of that impact will be and whether the rule will have a significant adverse impact on small businesses. If the committee indicates that the rule will have a significant adverse impact on small businesses, the agency shall seek the committee's recommendations on compliance with ORS 183.540." The agency must consider these comments in preparing the fiscal impact statement needed in the Notice of Rulemaking or Notice of Rulemaking Hearing.

Please advise agencies that, while these amendments take effect in January, on-going advisory committee discussions may need to undertake the discussion of fiscal impact statements NOW if the Notice of Proposed Rulemaking will be filed in January or thereafter. In other words, agencies using advisory committees must be in compliance with HB 3238 because the provisions apply to rules for which the notice is filed with the Secretary of State on or after 1/1/06. (HB 3238, section 7). Agencies are well-advised to implement this consultation on the fiscal impact statements now.

**ORS 183.540 Reduction of economic impact on small business.** If the economic effect analysis shows that the rule has a significant adverse effect upon small business, to the extent consistent with the public health and safety purpose of the rule, the agency shall reduce the economic impact of the rule on small business by:

(1) Establishing differing compliance or reporting requirements or time tables for small business;

(2) Clarifying, consolidating or simplifying the compliance and reporting requirements under the rule for small business;

(3) Utilizing objective criteria for standards;

(4) Exempting small businesses from any or all requirements of the rule; or

(5) Otherwise establishing less intrusive or less costly alternatives applicable to small business. [1981 c.755 §4; 2003 c.749 §7]

**OREGON ADMINISTRATIVE RULES  
CHAPTER 847, DIVISION 050 - BOARD OF MEDICAL EXAMINERS**

**PROPOSED RULES CHANGES – JANUARY 2006**

**FIRST REVIEW BY THE BOARD**

**847-050-0010**

**Definitions**

As used in OAR 847-050-0005 to 847-050-0065:

(1) "Agent" means a physician designated by the supervising physician who provides ~~[direction and regular review]~~ **supervision** of the medical services of ~~[the]~~ **a** physician assistant ~~[when the supervising physician is unavailable for short periods]~~ **for a predetermined period** of time.

(2) "Board" means the Board of Medical Examiners for the State of Oregon.

(3) "Committee" means Physician Assistant Committee.

(4) "Grandfathered physician assistant" means the physician assistant registered prior to July 12, 1984 who does not possess the qualifications of OAR 847-050-0020. Grandfathered physician assistants may retain all practice privileges which have been granted prior to July 12, 1984. All changes in practice descriptions after July 12, 1984 by grandfathered physician assistants must be pre-approved by the Board.

(5) "Physician assistant" means a person who is licensed as such in accordance with ORS 677.265, 677.495, 677.0505, 677.510, 677.515, 677.520, and 677.525.

(6) "Practice description" means a written description submitted by the supervising physician and the physician assistant to the Board of the duties and functions of the physician assistant in relation to the physician's practice.

(7) "Supervising physician" means a physician licensed under ORS Chapter 677, actively registered and in good standing with the Board as a Medical Doctor or Doctor of Osteopathic Medicine, who provides direction and regular review of the medical services provided by the physician assistant as determined to be appropriate by the Board.

(8) "Supervision" means the routine review by the supervising physician or designated agent, as described in the practice description and as determined to be appropriate by the Board, of the medical services provided by the physician assistant. The supervising physician or designated agent and the physician assistant shall maintain direct communication, either in person or by telephone, radio, radiotelephone, television or similar means. There are three categories of supervision based on the practice situation of the supervising physician or designated agent and the physician assistant:

(a) "Direct Supervision" means the supervising physician or designated agent must be in the facility when the physician assistant is practicing.

(b) "General Supervision" means the supervising physician or designated agent is not on-site with the physician assistant, but is available for direct communication, either in person or by telephone, radio, radiotelephone, television or similar means.

(c) "Personal Supervision" means the supervising physician or designated agent must be at the side of the physician assistant at all times, personally directing the action of the physician assistant.