



COUNCIL ON PHYSICIAN ASSISTANTS
Room 121A, 1400 East Washington Avenue, Madison
Contact: Tom Ryan (608) 266-2112
June 7, 2018

The following agenda describes the issues that the Council plans to consider at the meeting. At the time of the meeting, items may be removed from the agenda. Please consult the meeting minutes for a record of the actions of the Council.

AGENDA

9:00 A.M.

OPEN SESSION – CALL TO ORDER – ROLL CALL

A. Adoption of Agenda (1-3)

B. Approval of Minutes of April 11, 2018 (4-8)

C. Conflicts of Interest

D. Administrative Updates

1. Department and Staff Updates
2. Introductions, Announcements, and Recognition
3. Council Members – Council Member Status
 - a. Jeremiah Barrett – 7/1/2020
 - b. Jennifer Jarrett – 7/1/2019
 - c. Nadine Miller – 7/1/2020
 - d. Jody Wilkins – 7/1/2017
 - e. Vacant - Public Member

E. Legislative and Administrative Rule Matters – Discussion and Consideration (9-12)

1. Recommendations to the Podiatry Affiliated Credentialing Board – Practice Standards for a Physician Assistant Practicing Podiatry
2. Updated on Legislation and Pending or Possible Rulemaking Projects

F. Medical Examining Board Meetings

1. Updates

G. Wisconsin Association of Physician Assistants (WAPA) Matters

1. WAPA Updates

H. American Association of Physician Assistants (AAPA) Matters

1. AAPA Updates

I. Items Added After Preparation of Agenda:

1. Introductions, Announcements and Recognition

2. Nominations, Elections, and Appointments
3. Board Liaison Training and Appointment of Mentors
4. Administrative Updates
5. Education and Examination Matters
6. Credentialing Matters
7. Practice Matters
8. Legislation/Administrative Rule Matters
9. Liaison Report(s)
10. Informational Item(s)
11. Disciplinary Matters
12. Appearances from Requests Received or Renewed
13. Speaking Engagement(s), Travel, or Public Relation Request(s), and Reports

J. Public Comments

CONVENE TO CLOSED SESSION to deliberate on cases following hearing (§ 19.85 (1) (a), Stats.); to consider licensure or certification of individuals (§ 19.85 (1) (b), Stats.); to consider closing disciplinary investigations with administrative warnings (§ 19.85 (1) (b), Stats. and § 440.205, Stats.); to consider individual histories or disciplinary data (§ 19.85 (1) (f), Stats.); and to confer with legal counsel (§ 19.85 (1) (g), Stats.).

K. Deliberation of Items Added After Preparation of the Agenda

1. Education and Examination Matters
2. Credentialing Matters
3. DLSC Matters
4. Monitoring Matters
5. Professional Assistance Procedure (PAP) Matters
6. Petitions for Summary Suspensions
7. Petitions for Designation of Hearing Examiner
8. Stipulations, Final Decisions and Order
9. Proposed Interim Orders
10. Administrative Warnings
11. Review of Administrative Warnings
12. Proposed Final Decision and Orders
13. Matters Relating to Costs/Orders Fixing Costs
14. Case Closings
15. Board Liaison Training
16. Petitions for Assessments and Evaluations
17. Petitions to Vacate Orders
18. Remedial Education Cases
19. Motions
20. Petitions for Re-Hearing
21. Appearances from Requests Received or Renewed

L. Consulting with Legal Counsel

RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

M. Vote on Items Considered or Deliberated Upon in Closed Session, if Voting is Appropriate

N. Open Session Items Noticed Above Not Completed in the Initial Open Session

O. Delegation of Ratification of Examination Results and Ratification of Licenses and Certificates

ADJOURNMENT

ORAL EXAMINATION OF CANDIDATES FOR LICENSURE

ROOM 124D/E

9:30 A.M., OR IMMEDIATELY FOLLOWING THE FULL COUNCIL MEETING

CLOSED SESSION – Reviewing Applications and Conducting Oral Examination of Zero (0) Candidate(s) for Licensure, at time of agenda publication – Jeremiah Barrett, Nadine Miller, and Jennifer Jarrett.

NEXT MEETING DATE: NOVEMBER 15, 2018

MEETINGS AND HEARINGS ARE OPEN TO THE PUBLIC, AND MAY BE CANCELLED WITHOUT NOTICE.

Times listed for meeting items are approximate and depend on the length of discussion and voting. All meetings are held at 1400 East Washington Avenue, Madison, Wisconsin, unless otherwise noted. In order to confirm a meeting or to request a complete copy of the board's agenda, please call the listed contact person. The board may also consider materials or items filed after the transmission of this notice. Times listed for the commencement of disciplinary hearings may be changed by the examiner for the convenience of the parties. Interpreters for the hearing impaired provided upon request by contacting the Affirmative Action Officer, 608-266-2112.

**COUNCIL ON PHYSICIAN ASSISTANTS
MEETING MINUTES
APRIL 11, 2018**

PRESENT: Jeremiah Barrett, Jennifer Jarrett, Nadine Miller (*arrived at 9:03 a.m.*), Jody Wilkins

STAFF: Tom Ryan, Executive Director; Kate Stolarzyk, Bureau Assistant; and other Department staff

CALL TO ORDER

Jeremiah Barrett, Chair, called the meeting to order at 9:01 a.m. A quorum of three (3) members was confirmed.

ADOPTION OF AGENDA

MOTION: Jeremiah Barrett moved, seconded by Jody Wilkins, to adopt the agenda as published. Motion carried unanimously.

APPROVAL OF MINUTES

MOTION: Jody Wilkins moved, seconded by Jeremiah Jarrett, to approve the minutes of October 26, 2017 as published. Motion carried unanimously.

(Nadine Miller arrived at 9:03 a.m.)

ADMINISTRATIVE UPDATES

Election of Officers

COUNCIL CHAIR

NOMINATION: Jeremiah Barrett nominated Jennifer Jarrett for the Office of Council Chair.

Tom Ryan called for other nominations three (3) times.

Jennifer Jarrett was elected as Chair by unanimous consent.

VICE CHAIR

NOMINATION: Jennifer Jarrett nominated Jeremiah Barrett for the Office of Vice Chair.

Tom Ryan called for other nominations three (3) times.

Jeremiah Barrett was elected as Vice Chair by unanimous consent.

SECRETARY

NOMINATION: Jeremiah Barrett nominated Nadine Miller for the Office of Secretary.

Tom Ryan called for other nominations three (3) times.

Nadine Miller was elected as Secretary by unanimous consent.

2018 ELECTION RESULTS	
Council Chair	Jennifer Jarrett
Vice Chair	Jeremiah Barrett
Secretary	Nadine Miller

Appointment of Liaisons and Alternates

2018 LIAISON APPOINTMENTS	
Representative at Medical Examining Board	Jennifer Jarrett <i>Alternate: Jeremiah Barrett</i>
Credentialing Liaison	Nadine Miller <i>Alternate: Jeremiah Barrett, Jennifer Jarrett</i>
Legislative Liaison	Jennifer Jarrett <i>Alternate: Jeremiah Barrett</i>
Education and Exams Liaison	Jeremiah Barrett <i>Alternate: Nadine Miller</i>
Examination Panel	Jeremiah Barrett, Nadine Miller <i>Alternates: Jennifer Jarrett</i>
Practice Question Council Contact	Jeremiah Barrett <i>Alternate: Nadine Miller</i>
Travel Liaison	Jennifer Jarrett <i>Alternate: Nadine Miller</i>
Rules Liaison	Jennifer Jarrett <i>Alternate: Jeremiah Barrett</i>
Website Liaison	Nadine Miller <i>Alternate: Jeremiah Barrett</i>
Prescription Drug Monitoring Program Liaison	Jennifer Jarrett <i>Alternate: Jeremiah Barrett</i>

MOTION: Jeremiah Barrett moved, seconded by Jody Wilkins, to affirm the Chair's appointment of liaisons for 2018. Motion carried unanimously.

Delegation of Authorities

Document Signature Delegation

MOTION: Jennifer Jarrett moved, seconded by Jeremiah Barrett, to delegate authority to the Chair or chief presiding officer, or longest serving member of the Council, by order of succession, to sign documents on behalf of the Council. In order to carry out duties of the Council, the Chair, chief presiding officer, or longest serving member of the Council, has the ability to delegate this signature authority for purposes of facilitating the completion of assignments during or between meetings. The Chair, chief presiding officer, or longest serving member of the Council delegates the authority to Executive Director, or designee, to sign the name of any Council member on documents as necessary and appropriate. Motion carried unanimously.

Delegated Authority for Urgent Matters

MOTION: Jennifer Jarrett moved, seconded by Nadine Miller, that, in order to facilitate the completion of urgent matters between meetings, the Council delegates its authority to the Chair or chief presiding officer, or longest serving member of the Council, by order of succession, to appoint liaisons to the Department to act in urgent matters. Motion carried unanimously.

Credentialing Authority Delegations

Delegation of Authority to Credentialing Liaison

MOTION: Jeremiah Barrett moved, seconded by Jody Wilkins, to delegate authority to the Credentialing Liaison(s) to address all issues related to credentialing matters except potential denial decisions which should be referred to the Council on Physician Assistants for recommendation to the Medical Examining Board for final determination. Motion carried unanimously.

Delegated Authority for Application Denial Reviews

MOTION: Jennifer Jarrett moved, seconded by Nadine Miller, that the Board counsel or another department attorney is formally authorized to serve as the Council's designee for purposes of Wis. Admin Code § SPS 1.08(1). Motion carried unanimously.

Authorization for DSPS to Provide Board Member Contact Information to National Regulatory Related Authorities

MOTION: Jennifer Jarrett moved, seconded by Nadine Miller, to authorize Department staff to provide national regulatory related authorities with all Council member contact information that the Department retains on file. Motion carried unanimously.

Optional Renewal Notice Insert Delegation

MOTION: Jeremiah Barrett moved, seconded by Jennifer Jarrett to designate to the Chair or chief presiding officer, or longest serving member of the Council, by order of succession, to provide a brief statement or link relating to council-related business within the license renewal notice at the Council's or Council designee's request. Motion carried unanimously.

Legislative Liaison Delegation

MOTION: Jeremiah Barrett moved, seconded by Nadine Miller, to delegate authority to the Legislative Liaisons to speak on behalf of the Council regarding legislative matters. Motion carried unanimously.

Travel Delegation

MOTION: Jeremiah Barrett moved, seconded by Jody Wilkins, to delegate authority to the Travel Liaison to approve any Board Member travel. Motion carried unanimously.

Occupational Licensure Study Liaison

MOTION: Jeremiah Barrett moved, seconded by Nadine Miller, to designate Jennifer Jarrett as the Council's liaison to represent and speak on behalf of the Council regarding occupational license review and related matters. Motion carried unanimously.

LEGISLATIVE MATTERS

Consider Motion to Appoint Jennifer Jarrett to Speak Regarding the CARES Act and Senate Bill 477/Assembly Bill 582 on Behalf of the Council on Physician Assistants and to Work with the Medical Examining Board, Podiatry Affiliated Credentialing Board, Wisconsin Association of Physician Assistants, American Association of Physician Assistants Regarding Both Legislative Matters

MOTION: Nadine Miller moved, seconded by Jody Wilkins, to appoint Jennifer Jarrett to speak regarding the CARES Act and 2017 Wisconsin Act 227 on behalf of the Council on Physician Assistants, and to work with the Medical Examining Board, Podiatry Affiliated Credentialing Board, Wisconsin Association of Physician Assistants, and the American Association of Physician Assistants regarding both legislative matters. Motion carried unanimously.

ADMINISTRATIVE RULE MATTERS

Council on Physician Assistants Position Statements

MOTION: Jennifer Jarrett moved, seconded by Jeremiah Barrett, to request that DSPS staff remove the existing Position Statements and Frequently Asked Questions on the DSPS website. Motion carried unanimously.

CREDENTIALING LIAISON TRAINING

MOTION: Jeremiah Barrett moved, seconded by Nadine Miller, to direct Department Staff to research Physician Assistant self-reporting of National Practitioner Data Bank information with applications. Motion carried unanimously.

DELEGATION OF RATIFICATION OF EXAMINATION RESULTS

MOTION: Jeremiah Barrett moved, seconded by Jennifer Jarrett, to delegate ratification of examination results. Motion carried unanimously.

ADJOURNMENT

MOTION: Jody Wilkins moved, seconded by Jeremiah Barrett, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 11:39 a.m.

DRAFT

**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Dale Kleven Administrative Rules Coordinator		2) Date When Request Submitted: 5/25/18 Items will be considered late if submitted after 12:00 p.m. on the deadline date: ▪ 8 business days before the meeting	
3) Name of Board, Committee, Council, Sections: Council on Physician Assistants			
4) Meeting Date: 6/7/18	5) Attachments: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	6) How should the item be titled on the agenda page? Legislative and Administrative Rule Matters – Discussion and Consideration 1. Recommendations to the Podiatry Affiliated Credentialing Board – Practice Standards for a Physician Assistant Practicing Podiatry 2. Update on Legislation and Pending or Possible Rulemaking Projects	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session <input type="checkbox"/> Both		8) Is an appearance before the Board being scheduled? <input type="checkbox"/> Yes (Fill out Board Appearance Request) <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required:
10) Describe the issue and action that should be addressed: 1. As provided under s. 448.20 (1), Stats., the Council is required to develop and recommend to the Podiatry Affiliated Credentialing Board practice standards for physician assistants practicing under podiatrists			
11) Authorization			
<i>Dale Kleven</i>		<i>May 25, 2018</i>	
Signature of person making this request		Date	
Supervisor (if required)		Date	
Executive Director signature (indicates approval to add post agenda deadline item to agenda) Date			
Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, Provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			



State Laws that Authorize PAs to Practice with Podiatrists

California

Notwithstanding any other provision of law, a PA may perform those medical services as set forth by board regulations when the services are rendered under the supervision of a licensed physician and surgeon who is not subject to a disciplinary condition imposed by the Medical Board of California prohibiting that supervision or prohibiting the employment of a physician assistant. Optometry and dentistry prohibited; routine visual screening allowed.

Notwithstanding any other provision of law, a PA performing medical services under the supervision of a physician and surgeon may assist a podiatrist who is a partner, shareholder or employee in the same medical group as the supervising physician and surgeon. A physician assistant who assists a doctor of podiatric medicine pursuant to this subdivision shall do so only according to patient-specific orders from the supervising physician and surgeon.. A physician assistant assisting a doctor of podiatric medicine shall be limited to performing those duties included within the scope of practice of a doctor of podiatric medicine.

CAL. BUS. & PROF. CODE §3502

Colorado

(1) A person licensed under the laws of this state to practice podiatry may delegate to a physician assistant licensed by the Colorado medical board pursuant to section 12-36-107.4 the authority to perform acts that constitute the practice of podiatry to the extent and in the manner authorized by rules promulgated by the Colorado podiatry board. Such acts shall be consistent with sound practices of podiatry. Each prescription issued by a physician assistant shall have the name of his or her supervising podiatrist printed on the prescription. Nothing in this section shall limit the ability of otherwise licensed health personnel to perform delegated acts. The dispensing of prescription medication by a physician assistant shall be subject to section 12-42.5-118 (6).

(2) If the authority to perform an act is delegated pursuant to subsection (1) of this section, the act shall not be performed except under the personal and responsible direction and supervision of a person licensed under the laws of this state to practice podiatry, and said person shall not be responsible for the direction and supervision of more than two physician assistants at any one time without specific approval of the board. The board may define appropriate direction and supervision pursuant to rules and regulations.

(3) The provisions of sections 12-36-106 (5) and 12-36-107.4 governing physician assistants under the "Colorado Medical Practice Act" shall apply to physician assistants under this section.

COLO. REV. STAT. §12-32-109.3

*Note – this is language from podiatry practice act. No similar language in medical practice act or PA law or regulations.

Michigan

(4) A physician's assistant acting under the supervision of a podiatrist shall only perform those duties included within the scope of practice of that supervising podiatrist.

MICH. COMP. LAWS §333.17074

§ 333.18049. Supervision of physician's assistant by podiatrist; responsibilities; delegation of services; record; designation.

State Laws that Authorize PAs to Practice with Podiatrists

Sec. 18049. (1) In addition to the other requirements of this section and subject to subsection (5), a podiatrist who supervises a physician's assistant is responsible for all of the following:

- (a) Verification of the physician's assistant's credentials.
- (b) Evaluation of the physician's assistant's performance.
- (c) Monitoring the physician's assistant's practice and provision of podiatric services.

(2) Subject to section 16215 or 18048, as applicable, a podiatrist who supervises a physician's assistant may only delegate to the physician's assistant the performance of podiatric services for a patient who is under the case management responsibility of the podiatrist, if the delegation is consistent with the physician's assistant's training. A podiatrist shall only supervise a physician's assistant in the performance of those duties included within his or her scope of practice.

(3) A podiatrist who supervises a physician's assistant is responsible for the clinical supervision of each physician's assistant to whom the physician delegates the performance of podiatric services under subsection (2).

(4) Subject to subsection (5), a podiatrist who supervises a physician's assistant shall keep on file in the physician's office or in the health facility or agency in which the podiatrist supervises the physician's assistant a permanent, written record that includes the podiatrist's name and license number and the name and license number of each physician's assistant supervised by the podiatrist.

(5) A group of podiatrists practicing other than as sole practitioners may designate 1 or more podiatrists in the group to fulfill the requirements of subsections (1) and (4).

MICH. COMP. LAWS§333.18049

Ohio

(A) "Physician assistant" means a skilled person qualified by academic and clinical training to provide services to patients as a physician assistant under the supervision, control, and direction of one or more physicians who are responsible for the physician assistant's performance.

(B) "Physician" means an individual who is authorized under Chapter 4731. of the Revised Code to practice medicine and surgery, osteopathic medicine and surgery, or podiatric medicine and surgery.

OHIO REV. CODE ANN. §4730.01(A)-(B)

Rhode Island

When supervised by a physician licensed under RIGL Chapter 5-29 (Podiatrists), the services rendered by the physician assistant shall be limited to the foot. The "foot" is defined as the pedal extremity of the human body and its articulations and shall include the tendons and muscles of the lower leg only as they be involved in the conditions of the foot.

14-140-033 R.I. CODE R. §6.8

Tennessee

A licensed podiatrist may supervise a physician assistant or an orthopedic physician assistant licensed pursuant to chapter 19 of this title. A podiatrist supervising a physician assistant pursuant to this subsection (e) shall comply with the requirements of and any rules adopted pursuant to Sections 63-19-106 and 63-19-107 governing the supervision of a physician assistant. A podiatrist supervising an orthopedic physician assistant pursuant to this subsection (e) shall comply with the requirements of and any rules adopted pursuant to Sections 63-19-203 through 63-19-205 governing the supervision of an orthopedic physician assistant.

A physician assistant supervised by a licensed podiatrist shall not provide services that are outside of the scope of practice of a podiatrist as set forth in Section 63-3-101 and may prescribe only drugs that are rational to the practice

State Laws that Authorize PAs to Practice with Podiatrists

of podiatry. An orthopedic physician assistant supervised by a licensed podiatrist shall not provide services that are outside of the scope of practice of a podiatrist as set forth in Section 63-3-101.

TENN. CODE ANN. §§ 63-3-101; 63-19-106

Virginia

Physician assistant means an individual who has met the requirements of the Board for licensure and who works under the supervision of a licensed doctor of medicine, osteopathy, or podiatry.

VA. CODE ANN. § 54.1-2900

West Virginia

(a) A licensed physician or podiatrist may supervise a physician assistant:

(1) As a supervising physician in accordance with an authorized practice agreement; or

(2) As an alternate supervising physician who:

(A) Supervises in accordance with an authorized practice agreement;

(B) Has been designated an alternate supervising physician in the authorized practice agreement; and

(C) Only delegates those medical acts that have been authorized by the practice agreement and are within the scope of practice of both the primary supervising physician and the alternate supervising physician.

W.VA. CODE ANN. § 30-3E-11

Wisconsin

(6) "Physician assistant" means an individual licensed by the medical examining board to provide medical care with physician supervision and direction or to practice podiatry with podiatrist supervision and direction.

WI STAT § 448.01

April 2018