



Arizona Regulatory Board of Physician Assistants

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FINAL MINUTES FOR SPECIAL TELECONFERENCE MEETING Held on Thursday, April 2, 2020

At: 1740 W. Adams St., Board Room 4100, Phoenix, AZ 85007

Board Members

Myles A. Whitfield, P.A.-C, Chair
Randy D. Danielsen, PhD, P.A., D.F.A.A.P.A., Vice-Chair
Richard L. Averitte, Jr., M.D.
Kendra Clark, P.A.-C
Kevin K. Dang, Pharm D.
Thomas E. Kelly, M.D., F.A.C.E.P.
John J. Shaff, PA-C, D.F.A.A.P.A.
Susan Reina, P.A.-C
Beth E. Zonerach

GENERAL BUSINESS

A. CALL TO ORDER

Chairman Whitfield called the Board's meeting to order at 2:03 p.m. Chairman Whitfield instructed the Board members on remote conferencing etiquette.

B. ROLL CALL

The following Board members participated telephonically: PA Clark, Dr. Dang, Vice-Chairman Danielsen, PA Shaff, PA Reina, Chairman Whitfield, and Ms. Zonerach. The following Board members were absent: Dr. Averitte and Dr. Kelly.

ALSO PRESENT

The following Board staff were present: Kristina Fredericksen, Deputy Director; Michelle Robles, Board Operations Manager; and, Sean Charles, Information Technology. The following Board staff participated telephonically: Patricia McSorley, Executive Director; Carrie Smith, Assistant Attorney General (AAG); William Wolf, M.D., Chief Medical Consultant; and, Andrea Cisneros, Minutes Administrator.

C. CALL TO THE PUBLIC

No individuals addressed the Board during the Call to the Public.

D. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING REQUEST FOR TEMPORARY WAIVER OF LICENSURE REQUIREMENTS PURSUANT TO ADHS ADMINISTRATIVE ORDER 2020-01

The Board discussed and considered the draft letter to ADHS regarding requests for licensure waivers in order to establish a temporary emergency license process for PAs to respond to the declared state of emergency.

Executive Director McSorley stated that per the ADHS Administrative Order, the Board has been authorized to review its licensing processes and allow for an increase in licensed providers to respond to the current COVID-19 crisis. She stated that the staff has drafted a letter to the ADHS with waiver requests for the Board's consideration. Executive Director McSorley explained that the proposal would allow the Board to waive licensure requirements for recent graduates to complete PANCE as the exam is not readily available and would allow these individuals to apply a temporary emergency license. The draft request also includes a waiver of licensing fees, and

Executive Director McSorley confirmed that supervision requirements would still apply to these applicants if temporary licensure is granted under the current state of emergency.

Executive Director McSorley also stated that the Board may consider waiving supervision requirements for PAs licensed in another state who apply for temporary emergency licensure in Arizona for a period of 90 days or until the state of emergency ends, whichever comes first. She stated that this request also includes a waiver of licensing fees for these applicants. She stated that the Board may consider waiving the supervision of these PAs since they will be new to the state and may not have had the ability to establish a new supervision relationship during the current state of emergency. Executive Director McSorley stated that the Board may require these applicants to provide the contact information of their Supervising Physician from their home state.

Waiver of PANCE requirement for PAs applying for temporary emergency licensure

Vice-Chairman Danielsen spoke in support of allowing new graduates to obtain temporary emergency licensure without completing PANCE until the testing centers are available. He stated that he agreed with the requirement for new graduates to have supervision as they are new to the field. Vice-Chairman Danielsen stated that there are around 180-200 PAs graduating in the next 90 days or so, and the Board discussed modifying the language in the draft to better clarify the PA graduates to which these terms apply. Chairman Whitfield proposed including the graduation year to replace the language referencing PAs that graduated within the past six months so that it would apply to PAs who are approaching graduation. Vice-Chairman Danielsen agreed, and AAG Smith suggested that the language should be clarified to this waiver request to include future graduates provided that the state of emergency is still pending at that time.

In response to the Vice-Chairman's comments, Kirsten Bonnin, PA-C, President of the Arizona State Association of PAs (ASAPA), stated that the Board's waiver request was acceptable, and pointed out that PAs attending Midwestern University are due to graduate in August 2020. PA Bonnin informed the Board that she was not aware of any outstanding class of 2019 graduates. Jacob Gubler, President Elect of ASAPA, reported that all 2019 graduates from NAU have so graduated, and that there are a couple PAs who are still pending completion of PANCE.

Waiver of supervision requirements for PAs applying for temporary emergency licensure

Chairman Whitfield questioned whether the temporary emergency license should be granted for 180 days' duration rather than the 90 days proposed by staff. He also requested further clarification on the need for PAs coming from another state to provide their home state SP's contact information if the Board is requesting waiver of supervision in Arizona. Executive Director McSorley stated that the Board has the discretion to determine whether supervision requirements should be waived for PAs applying for the temporary emergency license. In response to Chairman Whitfield's question regarding A.R.S. § 32-2535, AAG Smith stated that the statute has not been amended since its enactment in 2004. She stated that it was created in a different time and appeared to address a single event and not an extended period of practice, which is what the Board is considering pursuant to the ADHS Administrative Order. AAG Smith stated that the statute did not specifically include language to address a state of emergency. PA Shaff stated that he reads the statute differently and that he believed the statute did apply to the current situation. Mr. Stuart Goodman addressed the Board on behalf of the PA Association, and stated that based on his legislative experience and the structure of the statute, he believed that the COVID-19 crisis falls under the category of other emergency.

PA Shaff stated that PAs throughout the country are affected by the current crisis, whether it be in the form of furloughs or termination of employment, in that they are feeling compelled to the call of duty and want to relocate to COVID-19 hotspots to provide further healthcare assistance. PA Shaff stated that the Board needs to eliminate application hurdles or speedbumps to allow PAs to work during this state of emergency. Executive Director McSorley referred the Board to the list she provided that included what other states have done in response to the current COVID-19 crisis, and pointed out that most states have elected to not waive supervision requirements at this time. AAG Smith stated that it is a policy decision by the Board that will require approval through the ADHS.

Chairman Whitfield questioned whether the supervision requirements should be waived for PAs currently licensed in Arizona who are responding to the COVID-19 crisis. AAG Smith reiterated that it is a policy decision of the Board that can be articulated in the final recommendation to the ADHS for approval. Vice-Chairman Danielsen stated that he supports allowing PAs from other states to be granted temporary emergency license to practice in Arizona, but that he had some concerns regarding the request for SP information from the PA's home state. He stated that if the Board is allowing out of state PAs to come to Arizona to help with the state of emergency, the Board should also waive supervision requirements for PAs already licensed in Arizona to assist elsewhere in the state. The Board discussed the language to include in the waiver request draft to the ADHS for approval, and considered including Arizona licensed PAs who are providing care in response to the state of emergency. Vice-Chairman Danielsen stated that there may be other areas of practice that would support the COVID-19 indirectly by taking care of patients to allow other experts the ability to treat those diagnosed with the virus. The Board agreed to modify the language to include PAs providing care in response to the state of emergency. The Board also agreed to modify the requirement for the out of state applicant to provide contact information from their home state SP.

Ms. Zoneraich questioned whether retired PAs should be included to allow them to return to practice to respond directly or indirectly to the current state of emergency. Ms. Zoneraich spoke in support of waiving supervision requirements for PAs in state and out of state who are responding to the state of emergency.

AAG Smith pointed out that PAs have the ability to retire from practice and continue to maintain a license in Arizona, which would not hinder their ability to return to the performance of healthcare tasks at any time. She stated that some PAs who retire allow their license to lapse, and had the ability to reapply for licensure at any time. AAG Smith stated that there are specific statutory requirements for PAs who are currently on an inactive licensure status to return to the practice of medicine, and may include more Board involvement. AAG Smith requested the Board allow this topic to be further researched prior to requesting waiver approval from the ADHS, as the Administrative Order does not limit the number of waiver requests the Board may submit for approval.

PA Bonnin stated that she has heard from other ASAPA members and other PAs in the community regarding their eagerness to assist with patient care during the current state of emergency. She asked the Board to consider the aspect of supervision ratio, which may be impacted by the shifts in healthcare as PAs anticipate providing care in other areas outside of their usual practice setting, but not outside of their scope of education, experience, and training.

Executive Director McSorley clarified that pursuant to the Board's discussion today, the waiver request shall be modified to include waiver of supervision of PAs currently practicing in Arizona if responding to the current state of emergency, to not request home state SP information for out of state PAs applying for temporary emergency licensure, and to extend the duration of temporary licensure to 180 days or until the state of emergency ends.

MOTION: Vice-Chairman Danielsen moved for the Board to approve the draft notification letter to ADHS with the technical and substantive changes as discussed.
SECOND: PA Shaff

AAG Smith clarified that per the Board's discussion, the technical and substantive changes include adding a request to waive the supervision requirements for PAs licensed in Arizona who are responding to the state of emergency, to include waiving the PANCE requirement for future graduates provided the state of emergency is still pending at the time, and change the duration of the temporary emergency license from 90–180 days or for the duration of the state of emergency, whichever comes first.

VOTE: The following Board members voted in favor of the motion: PA Clark, Dr. Dang, Vice-Chairman Danielsen, PA Shaff, PA Reina, and Chairman Whitfield. The following Board members were absent: Dr. Averitte, Dr. Kelly, and Ms. Zoneraich.

**VOTE: 6-yay, 0-nay, 0-abstain, 0-recuse, 3-absent.
MOTION PASSED.**

PA Clark informed the Board that she has been recruited to help with the crisis in New York City that requires a 30-day commitment with 12-hour shifts, seven days a week, at a makeshift hospital. Chairman Whitfield thanked PA Clark for sharing the information and stated that it is possible that Arizona is only weeks away from a similar crisis as in New York. He stated that the Board needed to be cognizant that healthcare providers are being shifted across the country and that while Arizona has not yet exhausted all of its healthcare resources yet, there is potential for it to happen before the end of April. Chairman Whitfield applauded the Board's staff for their efforts and stated that the Board is committed to extending its resources to assist in any way during the current state of emergency. Executive Director McSorley thanked the Board for taking the time to address these matters.

E. ADJOURNMENT

MOTION: PA Shaff moved for the Board to adjourn.

SECOND: PA Clark


VOTE: The following Board members voted in favor of the motion: PA Clark, Dr. Dang, Vice-Chairman Danielsen, PA Shaff, PA Reina, and Chairman Whitfield. The following Board members were absent: Dr. Averitte, Dr. Kelly, and Ms. Zoneraich.

VOTE: 6-yay, 0-nay, 0-abstain, 0-recuse, 3-absent.

MOTION PASSED.

The Board's meeting adjourned at 3:04 p.m.




Patricia E. McSorley, Executive Director