



Arizona Regulatory Board of Physician Assistants

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FINAL MINUTES FOR TELECONFERENCE MEETING Held on Wednesday, February 24, 2021 via Zoom 1740 W. Adams St., Board Room A, 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. Zoneraich

GENERAL BUSINESS

A. CALL TO ORDER

Chairman Whitfield called the Board's meeting to order at 10:03 a.m.

B. ROLL CALL

The following Board members participated in the virtual meeting: Chairman Whitfield, Vice-Chairman Danielsen, Dr. Averitte, PA Clark, Dr. Dang, Dr. Kelly, PA Shaff, PA Reina and Ms. Zoneraich.

ALSO PRESENT

The following Board staff participated in the virtual meeting: Patricia McSorley, Executive Director; Kristina Fredericksen, Deputy Director; Raquel Rivera, Investigations Manager; William Wolf, M.D., Chief Medical Consultant; Michelle Robles, Board Operations Manager; and, Andrea Cisneros, Minutes Administrator. Also present: Carrie Smith, Assistant Attorney General ("AAG").

C. CALL TO THE PUBLIC

Jacob Gubler, President of the Arizona State Association of Physician Assistants ("ASAPA"), addressed the Board during the Call to the Public regarding pending legislation that ASAPA is currently monitoring. All other individuals that addressed the Board during the Call to the Public appear beneath the matter(s) referenced.

D. REVIEW, DISCUSSION, AND POSSIBLE ACTION REGARDING EXECUTIVE DIRECTOR'S REPORT

- Request for Approval of Federation Credentials Verification Service ("FCVS") to Verify Passage of Physician Assistant National Certifying Examination ("PANCE") and Certification by the National Commission on Certification of Physician Assistants ("NCCPA")

Executive Director McSorley explained that FCVS is sponsored by the Federation of State Medical Boards ("FSMB") and that physicians have used this service for license and credentialing purposes. She asked the Board to consider approving the use of FCVS to verify applicants' passage of PANCE and certification by the NCCPA. Vice-Chairman Danielsen spoke in favor of approving the request, and stated that having had the opportunity to attend many of the FSMB's meetings, he found that this service would help PAs in terms of a faster way to verify licensure and certification.

MOTION: Vice-Chairman Danielsen moved for the Board to approve the use of FCVS to verify passage of PANCE and verification by the NCCPA.

SECOND: PA Reina

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

VOTE: 9-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

- Update on Legislation HB2454 (Telehealth), SB 1271 (Training Permit for MD who Does Not Match With Residency Program), SB1015 (PA Licensure)

The Board observed that HB2454 applied to all health regulatory boards within the State, and would allow health care providers licensed in other states to treat Arizona residents via telehealth without first having to obtain an Arizona license, provided that they register with their respective professional regulatory board. Executive Director McSorley reported that there is currently no mechanism that exists for registering out of state providers, and that she is working with the Governor's Office to establish a mechanism to implement for registering these individuals, and that an advisory committee is being formed that will include representation of the PA profession. The Board further observed that SB1015 relates to a statutory change that would allow the Board to approach surrender of licensure in the same fashion as license revocation when considering licensure reinstatement.

- Update on EO2021-02- New Rulemaking Moratorium

The Board observed that the Governor's Executive Order 2021-02 regarding the rulemaking moratorium requires the Board to eliminate three existing rules when making a new rule, and includes a provision that requires the Board to forward matters to the Governor's Office for review when a universal recognition applicant is denied licensure.

- Update on Board Processes and Staffing

Executive Director McSorley reported that the Agency has updated its database to GLSolutions Version 6 and is cloud-based.

- Update on FSMB Meeting

Executive Director McSorley reported that the FSMB will holds its annual meeting virtually this year on April 29 – May 1, 2021 and that she will forward the information to the Board once it becomes available.

E. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING CHAIR'S REPORT

Chairman Whitfield reported that he will be attending the upcoming Physician Health Program ("PHP") meeting in April, 2021. Chairman Whitfield stated his ongoing gratitude for the Board members and staff for continuing to navigate the Board throughout the pandemic, and stated that he looked forward to the Board returning to in-person sessions.

Executive Director McSorley reported that the Agency currently has a limited number of staff presenting to the office and are doing their best to follow the appropriate safety protocols. She stated that the situation will continue to be monitored and that she will update the Board with any new developments. She stated that AzDHS has recommended that the Board continue to meet virtually at this time. Executive Director McSorley further reported that there have been no new developments with Board member vacancies, and that she will reach out to the Governor's Office and report back to the Board at its next meeting.

F. REVIEW DISCUSSION AND POSSIBLE ACTION REGARDING LEGAL ADVISOR'S REPORT

G. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING ELECTION OF BOARD OFFICERS

The Board observed that election of Board Officers is conducted on an annual basis. Vice-Chairman Danielsen nominated Chairman Whitfield to retain the position of Board Chair.

MOTION: Vice-Chairman Danielsen moved to nominate Chairman Whitfield to retain his position as Board Chair.

SECOND: Ms. Zoneraich

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

VOTE: 8-yay, 0-nay, 1-abstain, 0-recuse, 0-absent.

MOTION PASSED.

Vice-Chairman Danielsen nominated PA Reina for Board Vice-Chair. PA Reina accepted the nomination and stated that she looked forward to continuing to serve on the Board.

MOTION: Vice-Chairman Danielsen moved to nominate PA Reina for Board Vice-Chair.

SECOND: Dr. Averitte

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

VOTE: 9-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

H. APPROVAL OF MINUTES

- November 4, 2020 Teleconference Meeting

MOTION: PA Shaff moved to approve the November 4, 2020 Teleconference Meeting.

SECOND: Chairman Whitfield

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

VOTE: 9-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

CONSENT AGENDA

I. CASES RECOMMENDED FOR ADVISORY LETTERS

1. PA-19-0091A, JASON S. COLLIER, P.A., LIC. #2310

PA Collier and Attorney Marki Stewart addressed the Board during the Call to the Public portion of the virtual meeting.

MOTION: Vice-Chairman Danielsen moved for the Board to issue an Advisory Letter for failure to appropriately manage abnormal laboratory studies and properly diagnose the stage of chronic kidney disease. While the licensee has demonstrated substantial compliance through rehabilitation or remediation that has mitigated the need for disciplinary action, the Board believes that repetition of the activities that led to the investigation may result in further Board action against the licensee.

SECOND: Dr. Dang

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

VOTE: 9-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

2. PA-19-0089A, JEANNE L. PETERSON, P.A., LIC. #5187

Complainant JK addressed the Board during the Call to the Public portion of the virtual meeting. Attorney Kraig Marton addressed the Board on behalf of PA Peterson during the Call to the Public.

MOTION: PA Shaff moved for the Board to issue an Advisory Letter, based on the confidential information contained in the file, for engaging in inappropriate verbal and electronic communications with a patient. While the licensee has demonstrated substantial compliance through rehabilitation that has mitigated the need for disciplinary action, the Board believes that repetition of the activities that led to the investigation may result in further Board action against the licensee.

SECOND: PA Reina

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

VOTE: 9-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

3. PA-20-0046B, KATHERINE S. LOOBY, P.A., LIC. #3374

MOTION: Vice-Chairman Danielsen moved for the Board to issue an Advisory Letter for performing health care tasks without an annually updated delegation agreement. The violation is a minor or technical violation that is not of sufficient merit to warrant disciplinary action.

SECOND: Ms. Zoneraich

Vice-Chairman Danielsen stated his concerns regarding PA's failing to update their delegation agreements on an annual basis. He stated that while this is a minor violation, it indicates a lack of attention to detail. Vice-Chairman Danielsen commented that the purpose for maintaining an annually updated delegation agreement helps the PA understand how to interact with their Supervising Physician. PA Shaff agreed with the Vice-Chairman's comments, and stated that PAs are responsible for knowing the requirements for maintaining licensure and ensuring that their delegation agreements are updated annually. PA Clark echoed other Board members' comments, and stated that PAs are also responsible for renewing their licenses timely.

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

VOTE: 9-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

4. PA-19-0059A, MARIA A. MCCLESKEY, P.A., LIC. #3159

Complainant YG addressed the Board during the Call to the Public portion of the virtual meeting.

MOTION: Vice-Chairman Danielsen moved for the Board to issue an Advisory Letter for failure to disclose a financial relationship for a patient referral, performing health care tasks without an annually updated delegation agreement, and inadequate medical records. While there is insufficient evidence to support disciplinary action, the Board believes that continuation of the activities that led to the investigation may result in further Board action against the licensee.

SECOND: Dr. Averitte

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

VOTE: 9-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

J. CASES RECOMMENDED FOR ADVISORY LETTERS WITH NON-DISCIPLINARY CONTINUING MEDICAL EDUCATION ORDER

1. PA-20-0040A, PA-20-0048A, PA-20-0055A, NATHANIEL A. WELLY, P.A., LIC. #3406

PA Welly and Attorney Scott Hergenroether addressed the Board during the Call to the Public portion of the virtual meeting.

MOTION: Ms. Zoneraich moved for the Board to issue an Advisory Letter and Non-Disciplinary CME Order for inadequate medical records and for failing to urgently refer a patient with atypical chest pain to the ER or a cardiologist. There is insufficient evidence to support disciplinary action. Within six months, complete no less than 10 hours of Board staff pre-approved Category I CME in an intensive, in-person course regarding medical recordkeeping, and complete no less than 3 hours of Board staff pre-approved Category I CME in the assessment and management of chest pain. The CME hours shall be in addition to the hours required for license renewal.

SECOND: Vice-Chairman Danielsen

PA Shaff questioned the current availability of intensive, in-person CME courses as well as the language contained in the recommended Advisory Letter and CME Order. Board staff clarified that the intensive courses are currently being offered via virtual platform with the same content and hours as the in-person course, and that the Medical Consultant was critical of the PA's failure to facilitate the cardiology consultation, though the patient was able to get himself in to be seen by cardiology within five days. The Board noted that SIRC also found it mitigating that the patient did not share the same complaints with the cardiologist as he did with PA Welly.

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

VOTE: 8-yay, 1-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

K. REVIEW OF EXECUTIVE DIRECTOR DISMISSALS

1. PA-20-0036A, TIMOTHY R. JOHNSON, P.A., LIC. #3698

Attorney Leah Schachar addressed the Board on behalf of PA Johnson during the Call to the Public.

MOTION: Vice-Chairman Danielsen moved for the Board to uphold the Executive Director's dismissal.

SECOND: PA Shaff

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

VOTE: 9-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

L. PROPOSED CONSENT AGREEMENTS (Disciplinary)

1. PA-19-0084A, DANIEL R. BALLARD, P.A., LIC. #6152

MOTION: Vice-Chairman Danielsen moved for the Board to accept the proposed Consent Agreement for a Letter of Reprimand and Two Year Probation. PA Ballard shall promptly enter into treatment with a psychotherapist as recommended by his Evaluator and shall comply with any and all treatment recommendations. The PA shall provide a copy of the Evaluator's report to the treating psychotherapist at the time treatment is initiated, and shall instruct the psychotherapist to submit quarterly reports to the Board, at the licensee's expense. Within six months, the PA shall complete the Professional Boundaries and Ethics: Extended Edition (PB-

24EX) course offered by PBI. Within 30 days of successful completion of the PBI CME, the PA shall enroll in the post-CME maintenance and accountability seminars and successfully complete them. The Probation shall not terminate except upon affirmative request by the PA and shall provide the Board with evidence establishing that he has successfully satisfied all of the terms and conditions of this Order, including a report from the psychotherapist that he has completed treatment and is safe to perform health care tasks without additional monitoring.

SECOND: PA Clark

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

VOTE: 9-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

M. LICENSE APPLICATIONS

i. APPROVE OR DENY LICENSE APPLICATION

1. PA-20-0079A, GRETCHEN L. JONES, P.A., LIC. #N/A

MOTION: PA Shaff moved for the Board to approve the application and grant the license.

SECOND: Dr. Dang

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

VOTE: 9-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

ii. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING LICENSE APPLICATION AND CONSIDERATION OF RECOMMENDED ADVISORY LETTER

1. PA-21-0008A, MIRANDA N. FALK, P.A., LIC. #N/A

MOTION: Vice-Chairman Danielsen moved for the Board to grant the license and issue an Advisory Letter for failure to notify the Board of a misdemeanor charge within ten working days as required by law. While there is insufficient evidence to support disciplinary action, the Board believes that continuation of the activities that led to the investigation may result in further Board action against the licensee.

SECOND: Ms. Zoneraich

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

VOTE: 9-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

AAG Smith asked the Board to return to this matter to clarify the language of the Advisory Letter, as the allegation in this case related to the PA's performance of health care tasks with an expired license and did not involve the failure to timely report a misdemeanor charge to the Board.

MOTION: PA Shaff moved for the Board to clarify its previous motion to grant the license and issue an Advisory Letter for performing health care tasks with an expired license. While the licensee has demonstrated substantial compliance through rehabilitation or remediation that has mitigated the need for disciplinary action, the Board believes that repetition of the activities that led to the investigation may result in further Board action against the licensee.

SECOND: PA Reina

VOTE: The following Board members voted in favor of the motion: Chairman Whitfield, Vice-Chairman Danielsen, Dr. Averitte, PA Clark, Dr. Dang, Dr. Kelly, PA Shaff, PA Reina and Ms. Zoneraich.
VOTE: 9-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.
MOTION PASSED.

iii. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING RENEWAL APPLICATION AND CONSIDERATION OF RECOMMENDED ADVISORY LETTER

1. PA-20-0084A, DANIEL L. SCHIPPER, P.A., LIC. #5321

PA Schipper addressed the Board during the Call to the Public.

MOTION: Vice-Chairman Danielsen moved for the Board to grant the license renewal and issue an Advisory Letter for failure to notify the Board of a misdemeanor charge within ten working days as required by law. While there is insufficient evidence to support disciplinary action, the Board believes that continuation of the activities that led to the investigation may result in further Board action against the licensee.

SECOND: PA Shaff

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

VOTE: 9-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

2. PA-20-0073A, MICHELE K. KASPARIAN, P.A., LIC. #2137

MOTION: PA Shaff moved for the Board to grant the license renewal and issue an Advisory Letter for failing to report misdemeanor charges to the Board within 10 working days after the charge is filed pursuant to A.R.S. § 32-3208(A). While there is insufficient evidence to support disciplinary action, the Board believes that continuation of the activities that led to the investigation may result in further Board action against the licensee.

SECOND: PA Clark

Ms. Zoneraich questioned whether an evaluation or assessment was warranted in this matter. Executive Director McSorley informed the Board that the PA underwent an assessment and was found safe to perform health care tasks.

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

VOTE: 9-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

iv. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING REQUEST FOR CERTIFICATION OF PRESCRIBING PRIVILEGES

The Board observed that the applicants in item numbers 1-4 are seeking prescribing privileges in addition to licensure through universal recognition.

MOTION: Vice-Chairman Danielsen moved for the Board to enter into Executive Session to obtain legal advice pursuant to A.R.S. § 38-431.03(A)(3).

SECOND: Chairman Whitfield

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

VOTE: 9-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

The Board entered into Executive Session at 11:18 a.m.
The Board returned to Open Session at 12:14 p.m.
No legal action was taken by the Board during Executive Session.

The Board discussed forwarding these items for the Board's Joint Legislative Review Committee to review with Board staff the CME submitted by the applicants to make a recommendation to the Board as to whether it has parity with the learning consistent with NCCPA certification. Vice-Chairman Danielsen spoke in favor of forwarding this to the Board's Committee; however, he states his concerns regarding comparing the CME to the NCCPA standards as he believed it limited the Committee's ability to compare the information with community education standards. Vice-Chairman Danielsen, on behalf of the Board's Joint Legislative Review Committee, invited Dr. Dang to participate in the Committee given his experience and background in pharmacology, and Dr. Dang accepted the invitation.

MOTION: Chairman Whitfield moved for the Board to defer action on item numbers 1-4 and forward to the Board's Joint Legislative Review Committee to review with Board staff the subject matter CME submitted in these matters to determine whether it has parody with pharmacological learning consistent with current community education standards, and return to the Board with a recommendation.

SECOND: PA Reina

Chairman Whitfield clarified that the Committee shall develop a CME standard, compare that information to the information submitted by these four applicants, and make a recommendation for the Board to consider at a future meeting.

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

VOTE: 9-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

1. SAMUEL ETIENNE, P.A., LIC. #N/A
2. GREGORY C. ETIENNE, P.A., LIC. #N/A
3. STEVENSON DOMINIQUE, P.A., LIC. #N/A
4. WIDDLER DESHOMMES, P.A., LIC. #N/A

ACTION ON CASE(S)

N. APPROVAL OF DRAFT FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

1. PA-19-0012A, TODD A. STIRLING, P.A., LIC. #5081

Board staff reported that the draft was amended to correct a typographical error of a date to accurately reference 2020 in place of 2021.

MOTION: Chairman Whitfield moved for the Board to approve the amended draft Findings of Fact, Conclusions of Law and Order for a Decree of Censure and Five Year Probation with Practice Restriction. PA Stirling shall be prohibited from performing health care tasks in the State of Arizona until a delegation agreement with a physician licensed and in good standing in Arizona is executed and approved by the Board or its staff, and the CS prescribing CME requirement has been completed. Within 12 months, complete the ProBE program offered by CPEP for ethics and boundaries. The PA shall obtain an unconditional or conditionally passing grade. Additionally, within 12 months, complete no less than 10 hours of

Board staff pre-approved Category I CME in an intensive, in-person course regarding medical recordkeeping. All CME hours shall be in addition to the hours required for license renewal. Within 30 days from the successful completion of the CME coursework, the PA shall enter into a contract with a Board-approved monitoring company to perform periodic chart reviews at the licensee's expense. The chart reviews shall involve current patients' charts for care rendered after the date the PA returned to performing health care tasks. After three consecutive favorable chart reviews, the PA may petition the Board to request Probation termination.

SECOND: Dr. Averitte

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

VOTE: 9-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

OTHER BUSINESS

O. REQUEST FOR TERMINATION OF BOARD ORDER

1. PA-18-0036A, BRIAN A. CODY, P.A., LIC. #2142

PA Cody addressed the Board during the Call to the Public portion of the virtual meeting.

MOTION: Vice-Chairman Danielsen moved for the Board to grant the request to terminate the November 13, 2019 Board Order.

SECOND: PA Shaff

Ms. Zonerach noted that the PA was two years into his five year probation and recognized that he has been in full compliance with all monitoring terms. Ms. Rivera explained that licensees placed on probation have the ability to request termination at any time. She reported that PA Cody's request for early termination included an opinion from an independent evaluator who assessed the PA and found that further monitoring was not warranted. Ms. Rivera also confirmed that the PA has been compliant with all probationary requirements.

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

VOTE: 9-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

P. ADJOURNMENT

MOTION: PA Reina moved for the Board to adjourn.

SECOND: Chairman Whitfield


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

VOTE: 9-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

The Board's meeting adjourned at 12:55 p.m.




Patricia E. McSorley, Executive Director