



## Arizona Regulatory Board of Physician Assistants

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### DRAFT MINUTES FOR MEETING OF JOINT LEGISLATION AND RULES COMMITTEE TELECONFERENCE MEETING Held on Friday, September 27, 2024 1740 W. Adams St., Board Room 4100, Phoenix, AZ 85007

#### Committee Members

Susan Reina, P.A.-C., Chair  
David J. Bennett, D.O.  
Kevin K. Dang, Pharm D.  
Michelle DiBaise, D.H.S.c., P.A.-C., D.F.A.A.P.A.  
John J. Shaff, PA-C, DFAAPA

#### A. CALL TO ORDER

Chairwoman Reina called the meeting to order at 4:05 p.m.

#### B. ROLL CALL

The following Committee Members were present: PA Reina and PA Shaff.

The following Committee Members participated via Zoom: Dr. Bennet and Dr. DiBaise.

The following Committee Members were absent: Dr. Dang.

#### ALSO PRESENT

The following Board staff participated in the meeting: Patricia McSorley, Executive Director; Raquel Rivera, Deputy Director and Michelle Robles, Board Operations Manager. Coordinator. Carrie Smith, Assistant Attorney General ("AAG") was also present.

#### C. CALL TO THE PUBLIC

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

#### D. APPROVAL OF MINUTES

- July 11, 2024 Joint Legislation and Rules Committee Teleconference

**MOTION: PA Shaff moved to approve the July 11, 2024, Joint Legislation and Rules Committee Teleconference.**

**SECOND: Dr. Bennett.**

**The following Committee members voted in favor of the motion: PA Reina, PA Shaff, Dr. Bennett and Dr. DiBaise. The following Committee member absent: Dr. Dang.**

**VOTE: 4-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.**

**MOTION PASSED.**

#### E. DISCUSSION AND POTENTIAL RECOMMENDATIONS REGARDING REVISED RULE R4-17-402 INCLUDING DIALOGUE WITH ASAPA REPRESENTATIVES

Ms. McSorley reported that GRRC voided some of the rules and the Committee is trying to draft new rule language to satisfy the goal of protecting the public, have some documentation, and work with ASAPA to address their objections to the previous rule language. Ms. McSorley read the new draft language for the record.

Ms. Smith noted that subsection A is the only part of Rule 402 that GRRC did not void.

Ms. McSorley noted that section C addresses when a PA moves from one area of practice to a substantially different area of practice. Ms. McSorley noted that the statute gives the Board the authority to address this in the rules. Section D is an addendum for the Committee's consideration.

Melinda Rawcliffe, ASAPA, informed the Committee that it is difficult to comment at this time since they need additional time to review the draft language and requested that a copy be sent to Carlos Gutierrez, PA, President of ASAPA.

PA Reina expressed concern that the Board has not received much feedback from ASAPA regarding what ASAPA is requesting or wanting to see in the rules.

PA Gutierrez stated that ASAPA, through their counsel, sent the ASAPA recommendations for new language. PA Gutierrez further commented that ASAPA would need to take a look at this language and discuss it with the entire association, and then provide feedback.

Ms. McSorley commented that the proposal Mr. Morgan had sent did not address when a PA goes from one area of practice to a different area of practice. That is one of the things that were lacking which staff addressed in this new rule for review. Ms. McSorley noted that it is important, since it is a statutory requirement.

PA Gutierrez reiterated that they will provide feedback in a timely manner.

Ms. Rawcliffe also requested that the language not just be regarding the collaborating physician and entity but also include the PA.

PA Shaff agreed that the language should include verbiage requiring the PA to share the responsibility. Dr. DiBaise noted that the interim edits had the onus on the PA. PA Reina commented that it would be an easy change to make.

Ms. Rawcliffe asked for clarification regarding language in subsection C about scope of review when evaluating substantial similarity.

PA Shaff explained that his understanding is that once the PA is approved to work collaboratively under an area of practice and changes to a different area of practice than what they were initially approved, they have to get it approved.

Ms. Smith clarified that what she heard from Ms. Rawcliffe was that this this language at the end of subsection C part 1, where it says that the physician assistant had not practiced previous or had not previously practiced collaboratively. Ms. Smith clarified that Ms. Rawcliffe's question for the Board appeared to be whether the word 'collaboratively' it was meant to exclude consideration of practice before the PA was certified for collaborative practice. Ms. Smith suggested that if not, the Committee may consider striking the word "collaboratively" from the sentence.

PA Shaff agreed that the Committee can use this as a starting point and will have another meeting to discuss new draft language with ASAPA. Dr. DiBaise reiterated that the previous draft put the onus on the PA. PA Reina noted that version was previously provided to ASAPA prior to the August meeting.

Ms. Smith clarified the Board had only approved two versions of the rules- the original draft approved, and alternative language submitted to GRRC in July in response to GRRC's request for clarified language.

PA Reina commented that the Committee can reconsider that PA language and include it in the new draft.

## **F. DISCUSSION OF DATES AND TOPICS FOR UPCOMING COMMITTEE MEETING**

PA Reina stated that we will need to set another meeting in the last two weeks of October. PA Reina suggested that staff make the change in section C1 to strike "collaboratively" and to include collaborative PA language throughout.

Ms. Smith confirmed that staff will make those changes and submit them to ASAPA for review and consideration.

## **G. ADJOURNMENT**

**MOTION: PA Shaff moved for adjournment.**

**SECOND: Dr. DiBaise.**

**The following Committee members voted in favor of the motion: PA Reina, PA Shaff, Dr. Bennett and Dr. DiBaise. The following Committee member absent: Dr. Dang.**

**VOTE: 4-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.**

**MOTION PASSED.**

The meeting adjourned at 4:41 p.m.

DRAFT