



Arizona Regulatory Board of Physician Assistants

1740 W. Adams St, Suite 4000, Phoenix, AZ 85007
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FINAL MINUTES FOR REGULAR SESSION MEETING Held on Wednesday, February 26, 2025 1740 W. Adams St., Board Room A, Phoenix, AZ 85007

Board Members

Susan Reina, P.A.-C, Chair
John J. Shaff, PA-C, D.F.A.A.P.A., Vice-Chair
Levente G. Batizy, D.O.
David J. Bennett, D.O.
Kendra Clark, P.A.-C
Kevin K. Dang, Pharm D.
Michelle DiBaise, D.H.S.c., P.A.-C., D.F.A.A.P.A.
Shiva K. Y. Gosi, M.D., M.P.H., F.A.A.F.P., C.P.E.
Amanda Graham, P.A.
Beth E. Zoneraich

GENERAL BUSINESS

A. CALL TO ORDER

Chair Reina called the meeting to order at 10:00 a.m.

B. ROLL CALL

The following Board members were present: Chair Reina, Vice-Chair Shaff, PA Clark, Dr. Dang, Dr. Gosi and PA Graham. The following Board members were absent: Dr. Batizy, Dr. Bennett, PA DiBaise and Ms. Zoneraich.

ALSO PRESENT

The following Board staff were present: Patricia McSorley, Executive Director; Raquel Rivera, Deputy Director; Claude Deschamps, M.D., Chief Medical Consultant; Nicole Samaradellis, Investigations Manager; and Heather Foster, Public Records Coordinator. Carrie Smith, Assistant Attorney General ("AAG") was also present.

C. CALL TO THE PUBLIC

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

- Review, Discussion, and Possible Action on Draft Five-Year Report, A.A.C. Title 4 Chapter 17, Arizona Regulatory Board of Physician Assistants

Ms. McSorley requested the Board to approve the draft Five-Year Report that was a result of a review of the Board's rules to determine if any amendments/repeals were needed. Included in the draft report were amendments to R4-17-205A clarifying that PAs certified by a Board-approved body would be exempt from the biannual CME requirements. The draft report also proposed changes to clarify in rule that PAs who hold DEA certifications are required to complete at least three hours of CME in opioids for every renewal cycle. The Board further noted that the draft report included a section of rule that would allow the Executive Director to enter into an Interim Consent Agreement with licensees when there

is evidence to support that a restriction is needed in order to mitigate any danger to the public health and safety, which would require concurrence from investigative staff, the Medical Consultant and Lead Board Member.

MOTION: Vice-Chair Shaff moved for the Board to approve the Five-Year Report.

SECOND: PA Clark

VOTE: The following Board members voted in favor of the motion: Chair Reina, Vice-Chair Shaff, PA Clark, Dr. Dang, Dr. Gosi and PA Graham. The following Board members were absent: Dr. Batizy, Dr. Bennett, PA DiBaise and Ms. Zoneraich.

VOTE: 6-yay, 0-nay, 0-abstain, 0-recuse, 4-absent.

MOTION PASSED.

- Review, Discussion, and Possible Action on Draft One-Year Review Report on R4-17-401, Collaborative Practice

Ms. McSorley requested the Board approve the One-Year Review Report regarding R4-17-401 relating to collaborative practice. She stated that since its implementation, the process has run smoothly without any challenges.

MOTION: Vice-Chair Shaff moved for the Board to approve the One-Year Review Report on R4-17-401, Collaborative Practice.

SECOND: PA Clark

VOTE: The following Board members voted in favor of the motion: Chair Reina, Vice-Chair Shaff, PA Clark, Dr. Dang, Dr. Gosi and PA Graham. The following Board members were absent: Dr. Batizy, Dr. Bennett, PA DiBaise and Ms. Zoneraich.

VOTE: 6-yay, 0-nay, 0-abstain, 0-recuse, 4-absent.

MOTION PASSED.

- Update on Draft Bills SB1235 and HB2134

Ms. McSorley updated the Board regarding SB1235 and reported that this bill is attempting to replace the majority of the Board with public members. Ms. McSorley pointed out that the Board relies on the professionals on the Board for their subject matter expertise, and stated that boards have raised concerns to the Legislature that having the majority of public members is problematic.

Ms. McSorley updated the Board regarding HB2134 and reported that “oversight” has been put back into the bill and will remain as part of the definition of collaborative practice. She added that this bill clarifies that PAs are required to be certified by a body recognized by the Board.

- Update Regarding the Ongoing Performance Audit/Sunset Review by Auditor General

Ms. McSorley updated the Board regarding the ongoing Performance Audit and stated that cases and processes are currently being reviewed.

- Discussion Regarding Proposed Legislation on Legislative Tracking List

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

- Recognition of Service for Patricia McSorley

The Board noted Ms. McSorley’s upcoming departure, effective April, 2025. The Board recognized Ms. McSorley for her many years of service working with the Board and expressed appreciation for her leadership, hard work and dedication. The Board and its staff applauded Ms. McSorley and wished her well in her retirement. Ms. McSorley thanked the Board members for their kind words and expressed her appreciation for the Board members and staff for their commitment to protect the public.

- Update on Executive Director Search Process

Chair Reina informed the Board that the ED Search Committee has elected three candidates and will meet on March 14, 2025 to select the interview questions. She also informed the Board that the Committee will meet on March 19, 2025 to conduct the interviews.

- ASAPA Meeting on 2/27/2025

Chair Reina reported that ASAPA has requested the Board present at its upcoming meeting to answer questions regarding HB2143. She stated that along with the Board's Deputy Director, they will be attending the meeting to answer questions and address any concerns.

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

G. APPROVAL OF MINUTES

- December 4, 2024 Regular Session Meeting Draft Minutes

MOTION: PA Clark moved for the Board to approve the December 4, 2024 Regular Session Meeting Draft Minutes.

SECOND: Dr. Dang

VOTE: The following Board members voted in favor of the motion: Chair Reina, Vice-Chair Shaff, PA Clark, Dr. Dang, Dr. Gosi and PA Graham. The following Board members were absent: Dr. Batizy, Dr. Bennett, PA DiBaise and Ms. Zoneraich.

VOTE: 6-yay, 0-nay, 0-abstain, 0-recuse, 4-absent.

MOTION PASSED.

CONSENT AGENDA

H. CASES RECOMMENDED FOR ADVISORY LETTERS

MOTION: Vice-Chair Shaff moved for the Board to issue an Advisory Letter in item numbers 1-3.

SECOND: PA Clark

VOTE: The following Board members voted in favor of the motion: Chair Reina, Vice-Chair Shaff, PA Clark, Dr. Dang, Dr. Gosi and PA Graham. The following Board members were absent: Dr. Batizy, Dr. Bennett, PA DiBaise and Ms. Zoneraich.

VOTE: 6-yay, 0-nay, 0-abstain, 0-recuse, 4-absent.

MOTION PASSED.

1. PA-24-0089A, NOLAN W. MARCOS, P.A., LIC. #6880

RESOLUTION: Issue an Advisory Letter for failing to ensure chaperone signatures in the patient chart at the time of treatment as required by a Board Order. 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.

2. PA-24-0017A, JAMES Y. RINCHERE, P.A., LIC. #8810

RESOLUTION: Issue an Advisory Letter for prescribing a controlled substance without being certified to do so and for submitting false information on his DEA registration application. 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.

3. PA-24-0119A, KAITLYN A. SPOUSTA, P.A., LIC. #7976

RESOLUTION: Issue an Advisory Letter for practicing on an expired license and for failing update mailing address. 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.

I. CASES RECOMMENDED FOR ADVISORY LETTERS WITH NON-DISCIPLINARY CONTINUING MEDICAL EDUCATION (“CME”) ORDER

1. PA-24-0039A, NATHAN J. ETHRIDGE, P.A., LIC. #5750

PA Ethridge and Attorney Andrew Turk addressed the Board during the Call to the Public portion of the meeting.

The Board observed that this matter stemmed from a malpractice settlement with the allegation that PA Ethridge failed to adequately work up or rule out aortic aneurysm resulting in patient death. The Board noted that based on the Medical Consultant’s review, PA Ethridge failed to adequately evaluate a patient with chest pain. Board staff recommended the PA complete CME in the evaluation and management of chest pain in the emergency department.

MOTION: Vice-Chair Shaff moved for the Board to issue an Advisory Letter and Order for Non-Disciplinary CME for failing to adequately evaluate a patient with chest pain. 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. Within six months, complete no less than 4 hours of Board staff pre-approved Category I CME in the evaluation and management of chest pain in the emergency department. The CME hours shall be in addition to the hours required for license renewal.

MOTION FAILED DUE TO LACK OF A SECOND.

Dr. Dang spoke in support of a disciplinary sanction due to the patient harm involving the death of the patient that he found was related to the PA’s failure to adequately evaluate the patient’s chest pain.

MOTION: Dr. Dang moved for the Board to offer a Consent Agreement for Letter of Reprimand. If the PA declines, he shall be invited to appear before the Board for a Formal Interview.

MOTION FAILED DUE TO LACK OF A SECOND.

The Board members discussed the misread of the CT angiogram by the radiologist and noted that the radiologist was also included in the malpractice case. The Board noted that the PA may not have been aware of the radiologist’s misread at the time of treatment and was under the impression that there were no major findings at that time. Board staff confirmed that PA Ethridge has no prior Board history. The Board members considered issuing a Non-Disciplinary CME Order and whether an Advisory Letter should be included in the sanction.

MOTION: Chair Reina moved for the Board to issue an Advisory Letter and Order for Non-Disciplinary CME for failing to adequately evaluate a patient with chest pain. 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. Within six months, complete no less than 4 hours of Board staff pre-approved Category I CME in the evaluation and management of chest pain in the emergency department. The CME hours shall be in addition to the hours required for license renewal.

SECOND: Vice-Chair Shaff

VOTE: The following Board members voted in favor of the motion: Chair Reina, Vice-Chair Shaff, Dr. Gosi and PA Graham. The following Board members voted against

the motion: PA Clark and Dr. Dang. The following Board members were absent: Dr. Batizy, Dr. Bennett, PA DiBaise and Ms. Zoneraich.

VOTE: 4-yay, 2-nay, 0-abstain, 0-recuse, 4-absent.

MOTION PASSED.

2. PA-24-0048A, CARLYN B. COATES, P.A., LIC. #5569

MOTION: Vice-Chair Shaff moved for the Board to issue an Advisory Letter and Order for Non-Disciplinary CME for failing to order a CT scan of the head and/or transfer to a higher level of care and for inadequate documentation. 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. Within six months, complete no less than 4 hours of Board staff pre-approved Category I CME in the proper management of hypertension urgencies/emergencies and hypertensive headaches. The CME hours shall be in addition to the hours required for license renewal.

SECOND: Chair Reina

VOTE: The following Board members voted in favor of the motion: Chair Reina, Vice-Chair Shaff, PA Clark, Dr. Dang, Dr. Gosi and PA Graham. The following Board members were absent: Dr. Batizy, Dr. Bennett, PA DiBaise and Ms. Zoneraich.

VOTE: 6-yay, 0-nay, 0-abstain, 0-recuse, 4-absent.

MOTION PASSED.

J. PROPOSED CONSENT AGREEMENTS (Disciplinary)

1. PA-24-0142A, MARIO R. MUNOZ, P.A., LIC. #3490

MOTION: Vice-Chair Shaff moved for the Board to accept the proposed Consent Agreement for Surrender of Licensure.

SECOND: PA Clark

VOTE: The following Board members voted in favor of the motion: Chair Reina, Vice-Chair Shaff, PA Clark, Dr. Dang, Dr. Gosi and PA Graham. The following Board members were absent: Dr. Batizy, Dr. Bennett, PA DiBaise and Ms. Zoneraich.

VOTE: 6-yay, 0-nay, 0-abstain, 0-recuse, 4-absent.

MOTION PASSED.

K. LICENSE APPLICATIONS

i. APPROVE OR DENY LICENSE APPLICATION

MOTION: Vice-Chair Shaff moved for the Board to grant licensure in item numbers 1-3.

SECOND: PA Graham

VOTE: The following Board members voted in favor of the motion: Chair Reina, Vice-Chair Shaff, PA Clark, Dr. Dang, Dr. Gosi and PA Graham. The following Board members were absent: Dr. Batizy, Dr. Bennett, PA DiBaise and Ms. Zoneraich.

VOTE: 6-yay, 0-nay, 0-abstain, 0-recuse, 4-absent.

MOTION PASSED.

1. PA-24-0137A, MELISSA L. PARKS, P.A., LIC. #N/A

RESOLUTION: Grant licensure.

2. PA-24-0099A, AMY L. COLLIER, P.A., LIC. #N/A

RESOLUTION: Grant licensure.

3. PA-25-0024A, SCOTT A. CUSHING, P.A., LIC. #N/A

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

RESOLUTION: Grant licensure.

OTHER BUSINESS

L. REQUEST FOR MODIFICATION/TERMINATION OF BOARD ORDER

1. PA-20-0021A, NOLAN MARCOS, P.A., LIC. #6880

MOTION: Vice-Chair Shaff moved for the Board to grant the request for Probation termination.

SECOND: PA Clark

VOTE: The following Board members voted in favor of the motion: Chair Reina, Vice-Chair Shaff, PA Clark, Dr. Dang, Dr. Gosi and PA Graham. The following Board members were absent: Dr. Batizy, Dr. Bennett, PA DiBaise and Ms. Zoneraich.

VOTE: 6-yay, 0-nay, 0-abstain, 0-recuse, 4-absent.

MOTION PASSED.

2. PA-19-0074A, AMI N. MIKHAIL, P.A., LIC. #4942

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

MOTION: Vice-Chair Shaff moved for the Board to grant the request for Probation termination.

SECOND: PA Clark

VOTE: The following Board members voted in favor of the motion: Chair Reina, Vice-Chair Shaff, PA Clark, Dr. Dang, Dr. Gosi and PA Graham. The following Board members were absent: Dr. Batizy, Dr. Bennett, PA DiBaise and Ms. Zoneraich.

VOTE: 6-yay, 0-nay, 0-abstain, 0-recuse, 4-absent.

MOTION PASSED.

M. ADJOURNMENT

MOTION: PA Clark moved for the Board to adjourn.

SECOND: PA Graham

VOTE: The following Board members voted in favor of the motion: Chair Reina, Vice-Chair Shaff, PA Clark, Dr. Dang, Dr. Gosi and PA Graham. The following Board members were absent: Dr. Batizy, Dr. Bennett, PA DiBaise and Ms. Zoneraich.

VOTE: 6-yay, 0-nay, 0-abstain, 0-recuse, 4-absent.

MOTION PASSED.

The Board's meeting adjourned at 10:51 a.m.




Raquel Rivera, Interim Executive Director