



**TENNESSEE BOARD OF  
PHYSICIAN ASSISTANTS  
REGULAR BOARD MEETING**

**April 21, 2023**

---

**MINUTES**

---

The regular meeting of the Tennessee Board of Physician Assistants (hereinafter, "the Board") was called to order on April 21, 2023, at 9:06 a.m. in the Iris Room, Ground Floor, Metro Center Complex, 665 Mainstream Drive Nashville, TN 37243.

Board Members Present: C. Marie Patterson, Chair, PA-C  
Robert Kasper, MD  
Andrew Hull, PA-C  
Gregory Cain, PA-C  
Christina Free, Secretary, PA-C  
Robert White, PA-C  
Barbara Thornton, Consumer Member  
David Roberts, PA-C

Board Members Absent: J. Seth Weathersby, PA-C

Staff Present: Stacy Tarr, Executive Director  
Tracy Alcock, Office of General Counsel  
Dexter Hawkins, Administrative Assistant

The Chair, Ms. Patterson, called for a roll call of all members present.

## **I. DISCUSSION OF APPLICANT INTERVIEWS**

Ms. Stacy Tarr led a discussion regarding the interview process for potential licensees. The topic of consideration was whether the interviews should be conducted in person or through alternative means such as phone or virtual communication. A particular case involving Mr. VanDerBeck, a licensee residing in California who was hesitant to appear before the board, was also addressed.

Ms. Tracy Alcock provided insight into the rules and regulations governing applicant interviews. After careful deliberation, the board reached a decision that in-person interviews are preferred, while virtual interviews will be evaluated on a case-by-case basis, especially in situations involving apraxia.

It is the board's utmost priority to uphold the standards of professionalism and excellence, and they believe that conducting interviews in person allows for more effective communication and a more thorough assessment of the applicant's qualifications. However, the board acknowledges that certain circumstances may necessitate alternative means of communication, and the board will evaluate each case accordingly.

## **II. CONSIDERATION OF APPLICATIONS**

### **Hannah Sylvester**

Ms. Hannah Sylvester appeared before the board to address a Class 2 misdemeanor reckless driving charge. She explained that the incident occurred while she was on duty as an EMT, where she unfortunately did not see a pedestrian in the road resulting in an accident. To avoid a lengthy trial and to focus on her future education in PA school, Ms. Sylvester pleaded guilty to the charge.

Considering the circumstances, Mr. David made a motion to grant Ms. Sylvester's license, which was seconded by Mr. White. The motion passed, taking into consideration Ms. Sylvester's remorse and her commitment to furthering her education in the medical field. The board recognizes the importance of maintaining ethical and professional standards, while also recognizing the need for compassion and understanding in evaluating each individual case.

## **III. APPROVAL OF MINUTES**

Ms. Thornton made a motion to accept the January 6, 2023, meeting minutes. Mr. Roberts seconded the motion, and it passed.

#### **IV. DEPARTMENTAL REPORTS**

##### **Receive reports and/or requests from the Office of Investigations**

Mr. Nolton presented the Board Statistical Complaint report. New complaints for PA's open are Twenty-one (21), total closed complaints are sixteen (16), one (1) closed due to insufficient findings, thirteen (13) were closed with no action, one (1) received a letter of concern, and one (1) was sent a letter of warning.

Of those numbers listed above the following are regarding which category they fall under: one (1) substance abuse, one (1) sexual misconduct, three (3) malpractice/negligence, twelve (12) unprofessional conduct, one (1) violation of Board order, two (2) overprescribing, and one (1) outside the investigative scope.

Under Orthopedic PA's, there were no new complaints.

##### **Financial Report**

Ms. Keeyona Love, Fiscal Manager for Division of Health licensure and Regulations presented a power point presentation of the Mid-Year FY23 Financial Report.

##### **Administrative Office**

Ms. Stacy Tarr reported that the following activity regarding Physician Assistants transpired in the administrative office between January 1, 2023, and March 2023.

New Applications Received:

- Full licensure 175
- Temporary 0
- Upgrade to Full 2
- OPA Full Licensure 0

Total New Licenses Issued:	169
Total Number of Renewals:	379
Total Number of Online Renewals:	353
Average Renewals Online:	93%
Total Number of Reinstatements	2

As of March 31, 2023, the total number of active Physician Assistant licenses is 3,573. Of those licensees, 3,117 have a Tennessee mailing address. The total number of Orthopedic Physician Assistant licensees as of March 31, 2023, is 9

## **V. NEW BUSINESS**

### **Ratification of New Licenses**

Ms. Thornton made the motion to approve all licenses. Mr. Hull seconded the motion and it passed.

### **Redline Of Rules**

Ms. Alcock presented a discussion surrounding the rules and regulations of the board. The topic of integrating OPA (Osteopathic Physician Assistant) rules with PA (Physician Assistant) rules was raised, which sparked questions from Mr. Cain regarding the potential implications of such changes.

As the discussion progressed, the board recognized the importance of reviewing and potentially revising the rules and regulations to ensure the highest standards of professionalism and patient care. However, recognizing the complexity of the matter, the board decided to request that Ms. Alcock bring forth additional material regarding the proposed rule changes for the next scheduled board meeting on July 21, 2023.

The board remains committed to upholding the highest standards of ethical and professional conduct and acknowledges the need for careful consideration and collaboration in implementing any potential changes to the rules and regulations.

## **VI. APPROVAL OF AGREED CITATIONS**

There were no citations for approval.

## **VII. OFFICE OF GENERAL COUNSEL AND PRESENTATION OF DISCIPLINARY ORDERS**

### **Report from the Office of General Counsel by Tracy Alcock, Advisory Attorney**

Ms. Tracy Alcock would begin by informing the Board about the conflict-of-interest document they needed to sign at the beginning of the year. Ms. Alcock reminds the Board that she is working to change the rules for the PA board. Ms. Alcock will examine the Board's policies to ensure they correspond with current law. As of January 2023, the Office of General Counsel has eight (8) open cases pertaining to physician assistants. Two (2) consent orders were presented to the Board on April 21, 2023. Ms. Alcock explain legislation that is currently in session which are as followed.

**Senate Bill No. 1170:** This is a bill that was being considered this session, with several amendments, that would affect the Physician Assistant Board. The last notes on the bill show that on March 28, 2023, action was deferred in Senate Health and Welfare Committee to first calendar of 2024.

The bill, if passed, would give PAs with over 6,000 post-graduate clinical hours the ability to practice independently without a collaborating physician. The PA with over 6,000 post-graduate clinical hours would submit proof of their hours to the PA Board and the Board would then issue an endorsement on the PA's license. If this bill passes, the PA Board would need to amend its rules to correlate with the new law.

**Public Chapter 1:** This law passed on February 23, 2023, which is a prohibition on performing or assisting with gender conversion in minors. A violation of this legislation is grounds for emergency action.

**Public Chapter 107:** This law passed on March 20, 2023, As introduced, allows the practice of physical therapy to be under the written or oral referral of a nurse practitioner or physician assistant; removes certain minimum education requirements to engage in the independent practice of physical therapy.

**Public Chapter 949:** This law passed in April 2022, which allowed for A physician assistant licensed to prescribe drugs under this subdivision (2), may arrange for up to ten (10) of the required annual remote site visits by a collaborating physician by HIPAA-compliant electronic means rather than at the site of the clinic. BME Prescription Writer Rules will need amendments, and PA rules may need amendments.

## **Consent Order(s)**

### **1. Reagan N. Robinson, PA**

The Division of Health-Related Boards of the Tennessee Department of Health and Respondent, Reagen Nolan Robinson, P.A., have submitted a Consent Order to the Tennessee Board of Physician Assistants. The Board is responsible for regulating and supervising physician assistants in Tennessee and has the power to enforce the Tennessee Physician Assistants Act. The Consent Order waives the right to a contested case hearing and judicial review and acknowledges that this is a formal disciplinary action that will be reported to the National Practitioner Data Bank. If the Board rejects the Consent Order, it will have no effective date of entry of this Consent Order by the Board. Failure to timely pay any civil penalty or cost may result in further disciplinary action, including suspension or revocation of Respondent's license.

Respondent understands that by signing this Consent Order, Respondent waives all rights to a hearing or appeal of the charges contained in the Complaint. Respondent further understands that this Consent Order constitutes a final adjudication of the charges and that the Board may take further disciplinary action for any violation of this

Consent Order. Respondent acknowledges that Respondent has had the opportunity to review and discuss this Consent Order with counsel of Respondent's own choosing, and that Respondent fully understands the terms and conditions contained herein. Respondent agrees that this Consent Order shall be binding upon Respondent and Respondent's heirs, executors, administrators, successors, and assigns. This Consent Order shall become effective upon entry by the Board and shall remain in effect until modified or terminated by the Board. Mr. Roberts motioned to accept the consent order. Ms. Thornton Seconded the motion, and the motion passed.

## **2. Matthew Miko, PA**

The Division of Health-Related Boards of the Tennessee Department of Health, through the Office of General Counsel, and Respondent Matthew Miko are seeking approval of a Consent Order affecting Miko's license to practice as a physician assistant in the state. The Board of Physician Assistants is responsible for regulating and supervising physician assistants in Tennessee, and it enforces strict compliance with state laws to promote and protect public health, safety, and welfare. Miko has waived the right to a contested case hearing and judicial review and acknowledges that this formal disciplinary action will be reported to the National Practitioner Data Bank. If the Board rejects the Consent Order, it will be of no force or effect for either party. The Respondent must complete the medical course titled "Intensive Course in Medical Documentation" offered at the Case Western Reserve University School of Medicine or an equivalent pre-approved course by the Board's Medical Director. The proof of compliance with this course requirement must be mailed or delivered to the Disciplinary Coordinator, The Division of Health-Related Boards, Tennessee Department of Health, 665 Mainstream Drive, Nashville, TN 37243, within thirty (30) days after completing the course.

Any continuing education course hours earned from attending and completing the courses required by paragraph 44 shall be in addition to the continuing education hours required to maintain licensure. The Respondent is required to pay one (1) Type "A" Civil Penalty in the amount of One Thousand Dollars (\$1,000.00) pursuant to Tenn. Comp. R. & Regs. 1130-02-.15(5) and 1000-04-.11. Respondent must also report this disciplinary action to any state or federal agency or licensing board with which he is registered, licensed, or certified to practice. Failure to comply with any of the terms of this Consent Order may result in further disciplinary action by the Board, including but not limited to suspension or revocation of Respondent's license to practice as a physician assistant in the State of Tennessee. Mr. Cain made a motion to accept the consent order. Mr. Hull seconded the motion, and the motion passed.

## **Petition For Order(s) of Compliance**

### **1. Walter D. Blankenship, PA**

Walter D. Blankenship, P.A. has filed a petition to lift the prohibition against prescribing controlled substances and to pursue the application for a DEA registration.

Blankenship's license was previously placed on probation for seven years, during which he was prohibited from prescribing controlled substances until the Board received eight positive reports from his practice monitor. Blankenship is now eligible to petition the Board for an Order of Compliance to lift the prohibition, provided he appears personally before the Board and complies with all recommendations of the practice monitor. The prescribing of controlled substances will still be restricted as outlined in the prior consent order. The monitoring period for Walter D. Blankenship, P.A. shall continue for at least three years, during which he must receive training in appropriate prescribing of controlled medication and medical record keeping and have at least 10 of his patients' records for patients receiving controlled substances reviewed every 90 days by the practice monitor.

If he has not prescribed any controlled substances during a 90-day period, he must submit a printout of the controlled substance monitoring database. He must comply with all recommendations of the practice monitor program and have the practice monitor issue a report to the Board's Consultant every three months. During the first year of monitoring, he is not allowed to prescribe State or Federal Schedule II or III controlled substances. After practicing while prescribing controlled substances for one year and submitting four positive reports, he can petition the Tennessee Board of Medical for further lifting of restrictions. During the first year of monitoring as required by paragraph ten, Walter D. Blankenship, P.A. is not allowed to prescribe any State or Federal Schedule I or III controlled substances. After practicing while prescribing controlled substances for one year and submitting four positive reports, he can petition the Tennessee Board of Medical Examiners' Committee on Physician Assistants for an "Order of Compliance" to permit him to prescribe Schedule II or III controlled substances. After submitting eight additional positive reports, he may conclude the practice monitoring from Affiliated Monitors required by the order. The Board finds that Blankenship has satisfactorily complied with this requirement and his license remains on probation, but he can now register for a DEA and prescribe Schedule IV controlled substances with restrictions outlined in the consent order. Mr. Cain motioned for the order of compliance petition to be granted and Mr. Roberts seconded the motion, and the motion passed.

**Public Comment – None**

The meeting adjourned at 11:00am.

These meeting minutes were ratified by the Board at their July 21, 2023, meeting.

