

RESPONSE FROM PHYSICIAN ASSISTANT COMMITTEE TO ISSUES RAISED BY COMMITTEE STAFF IN THE BACKGROUND PAPER FOR SUNSET REVIEW 2012

NEW ISSUES BROUGHT FORWARD AT THE SUNSET HEARING:

The Physician Assistant Committee (PAC) respectfully requested and submitted two additional proposals to the Sunset Committee which were not included in the Sunset Background Paper.

Military Waiver and Retired License Status

1. The PAC recognizes that there is current legislation in process, AB 1588, to exempt active military from payment of license renewals. The PAC respectfully supports a proposal for a waiver of the Physician Assistant Committee license renewal fees for active duty military licensees. The PAC staff has received numerous requests from active duty military PAs asking for a renewal fee waivers. The PAC supports offering an exemption as an appropriate way to honor licensees in active military service. This proposal is similar to the Medical Board's exemption status for active military physicians.
2. The second proposal requests that the PAC be granted a "retired" license status to accommodate licensees no longer practicing to retain their license without payment of renewal fees or completion of CME. This license status is similar to other licensing boards within the Department of Consumer Affairs.

Following are the Physician Assistant Committee Responses to the Sunset Review issues:

ISSUE 1 - (NEED FOR CONTINUED ENHANCEMENT OF THE COMMITTEE'S INTERNET SERVICES AND IMPLEMENTATION OF BreEZe.) Should the Committee continue to explore ways to enhance its internet services and Website to licensees and members of the public? What is the status of the BreEZe Project?

Staff Recommendation: *The committee should provide an update on the current status of its efforts to fully implement electronic payments of fees and online application and renewal processing, including anticipated timelines, existing impediments and current status of BreEZe. The Committee may wish to consider putting an interim plan in place to ease the collection of license renewal fees? The Committee should continue to explore ways to enhance its Internet Services to licensees and members of the public, including posting meeting materials, board policies, and legislative reports on the Internet and webcasting meetings.*

Response: As reported in the Sunset Hearing on March 19, 2012, the Physician Assistant Committee (PAC) is included in the first phase of the implementation of the BreEZe project (Phase I). Upon implementation, the PAC will begin using the database

developed for BreEZe, and will begin offering online renewal payments and payment for initial licensing for both licensees and applicants. Additionally, all enforcement tracking activities will also migrate to BreEZe. The Department of Consumer Affairs has informed us that the anticipated time for implementation to BreEZe is September 2012.

During the implementation of the online renewal process, the PAC recognizes that online renewals are crucial to providing excellent customer service and will allow licensees to renew their license in a convenient and quick manner. This service also includes the ability for new applicants to pay fees online and track the progress of their application.

As we have in the past, during the transition period to BreEZe to assist licensees in processing their renewals, we will continue to accept payments sent or delivered directly to our office. When BreEZe is fully implemented during the first phase in September 2012, then licensees will be able to renew online and license records and expiration dates will be updated immediately.

We are looking forward to the implementation of BreEZe, as it will allow us to provide improved customer service and while at the same time providing better efficiency in the renewal and application process.

The PAC continues work to enhance and improve information on the PAC website. New enhancements to be made include the following:

- The PAC Career Page will be reviewed and updated to ensure it is more informative to perspective students interested in the PA profession. Additionally, the PAC will develop a new brochure for Career information.
- The PAC will place regulatory rulemaking files on the website. Currently, the website contains the past three years' of rulemaking files, but for historical purposes will include all rulemaking files on the website, space permitting, or will make the files available electronically.
- The PAC currently posts meeting minutes on the website and will add all historical minutes on the website for historical purposes, space permitting.
- In the area of webcasting, the PAC continues to webcast all public meetings to allow members of the public and interested parties to view meetings without being physically present. The PAC began webcasting in 2011 and has received positive comments from the public and interested parties.
- Enhanced public participation: The PAC is exploring ways to enhance public participation in their meetings by including, if possible, the ability for the public to interact in real time at meetings by telephone at a designated location or some other media system. The PAC will work with the Department of Consumer Affairs in this area to determine how best to accomplish this task.

At this time, with the implementation of BreEZe, it is our understanding that a Budget Change Proposal (BCP) has been prepared to address the anticipated costs of implementation of the system.

ISSUE 2 – (CHANGE THE COMPOSITION AND NAME OF THE PHYSICIAN ASSISTANT COMMITTEE.) Should the Committee’s name be changed to “Physician Assistant Board”? Is it necessary to continue to have a physician member of the Committee or should the Committee instead be comprised of five physician assistants and four members of the public?

Staff Recommendation: *Consideration should be given to changing the name of the Committee to the Physician Assistant Board. Consideration should also be given to replacing the physician member of the Committee with a physician assistant to constitute a simple majority of professional members, in keeping with many other health boards.*

Response: The PAC supports the Sunset Committee’s recommendation that the name of the “Physician Assistant Committee” be changed to “Physician Assistant Board”. The recommendation for the name change and the replacement of the MD member will be presented to the full Committee at its May 7, 2012 meeting.

The Sunset Committee recognizes that the PAC maintains a close relationship with the Medical Board of California (MBC) and that the relationship would continue. Because physician assistants may not practice independently and are required to have a supervising physician, our interaction and current relationship with the Medical Board is valued and important.

ISSUE 3 – (NEED FOR EMPLOYER REPORTING) Should health care plans and health care facilities be required to report certain actions taken against PAs to the Committee?

Staff Recommendation: *It should be made clear that the reporting requirements under the section 800 series of the Business and Professions Code also apply to Physician Assistants.*

Response: The PAC supports and appreciates the Committee’s recommendation that PAs be specifically added to the 800 series reporting requirements. This will ensure public protection is maintained and enhanced. Historically, there has been confusion on the reporting requirements for employing entities. This recommended change would serve to eliminate any confusion and would enhance public protection. Additionally, physician assistants would be held accountable as are other health care providers.

ISSUE 4 – (CONTINUING EDUCATION AUDITS) Is licensee self-reporting of continuing education completion sufficient to satisfy the 50 hour requirement.

Staff Recommendation: *The Committee should explain the lack of self-reporting audits and describe plans to implement audits.*

Response: Physician assistant continuing medical education (CME) requirements may be met by completing 50 hours of continuing medical education every two years or demonstrating certification by the National Council on Certification of Physician Assistants, which also requires CME to maintain. As of March 2012, there are currently 8,477 licensees in California. Nationally, there are 7,000 California licensees who maintain their national certification, which is 82% of the total number of licensees.

In January 2008, AB 2482 became effective, authorizing the PAC to require licensees to complete CME as a condition of license renewal. The Office of Administrative Law approved regulations implementing provisions of AB 2482 effective January 2011. Notification was sent to each physician assistant licensed in California notifying them of the new CME requirement that would require them to begin accruing CME after January 2011. Beginning on and after January 1, 2013, licensees who renew their license will self certify if they have satisfied the CME requirement.

Licensees were given one full two year renewal cycle in order to accrue the required CME in order to allow licensees who had not been accruing or maintaining CME to take and complete the required 50 CME. A PA who renews his or her license on or after January 2013 will be required to certify his or her compliance with the CME requirement by noting that they are either nationally certified or have completed the required CME if they are not nationally certified.

Licensees are required to retain proof of their CME for four years after the accrual, to allow for review of the CME documentation if requested during an audit or investigation.

The CME requirement is similar to the requirement for physicians licensed by the Medical Board of California as well as other boards who require self-certification.

Any audit of CME will occur after the January 2013 reporting requirement date. Prior to January 2013 renewal notices being sent, we will modify the renewal form to include the new certification area. Staff has been working with the BreEZE team for developing of the modified renewal form.

The PAC plans to conduct CME audits on a scheduled basis to ensure compliance. Audits will randomly select licensees who attest compliance. Staff will send out a contact letter asking the licensees to either send in their CME documentation or ask NCCPA to send a verification that they have maintained their certification.

ISSUE 5 – (PROMOTING AND UNDERSTANDING WORKFORCE DEVELOPMENT ISSUES FOR PHYSICIAN ASSISTANTS) Has the PAC taken enough action to encourage utilization of qualified PAs in the state's health care delivery system? With the implementation of the federal Patient Protection and Affordable Care Act, what should the PAC be doing to promote PAs role in providing quality health care?

Staff Recommendation: *The Committee should explain what additional efforts it can take or models it can follow to increase the PA workforce and ensure participation of its licensees in the state's health care delivery system. The Committee should look closely at the efforts and the collection of data by the Registered Nursing Board in determining workforce needs and in making future recommendations to policy makers, the Legislature and the Governor.*

Response: The PAC recognizes the need for training, employing and retention of qualified, licensed physician assistants in California, especially in light of the health care reforms underway.

At the May 7, 2012 PAC meeting promotion of Workforce Development will be on the agenda, including forming a Subcommittee to review this issue and retention and distribution of PAs in California to support increased access to health care by consumers. The PAC will also be working with the California Academy of Physician Assistants on this issue.

Additionally, the PAC will work with the Department of Consumer Affairs to develop an information bulletin and brochure for distribution to persons interested in pursuing a career as a physician assistant and work with them on development of more reporting on employment statistics of PAs in California.

As recommended by the Committee, the PAC supports the suggestion that the Executive Officer meet with the Board of Registered Nursing to discuss their data collection efforts regarding workforce needs.

ISSUE 6 – (Continued Regulation by the Committee) Should the licensing and regulation of physician assistants be continued and be regulated by the current Committee membership?

Staff Recommendation: *Recommend that the physician assistant profession continue to be regulated by a "Physician Assistant Board," with five professional and four public members, in order to protect the interests of the public and be reviewed once again in four years.*

Response: The PAC wishes to take this opportunity to thank the Senate Committee on Business, Professions and Economic Development for their review and evaluation of the PAC's work and accomplishments during the past four years. The PAC recognizes that health care reform will bring unique challenges and opportunities to California and is prepared to work with the Legislature, the Governor and other interested parties to ensure that physician assistants in California are licensed timely and remain competent to provide excellent patient care to the consumers of California.