

## PHYSICIAN ASSISTANT BOARD

### ADDENDUM TO THE INITIAL STATEMENT OF REASONS

Hearing Date: January 28, 2019

Subject Matter of Proposed Regulations: Audit and Sanctions for Noncompliance

Section Affected: Section 1399.617 of Title 16 of the California Code of Regulations

#### **Updated Specific Purpose of Each Amendment:**

##### Factual Basis/Rationale

The following changes were made to the proposed language for clarity and consistency as requested by the Office of Administrative Law. The changes are being made for the following reasons:

- (1) Amend the second sentence of subsection (a) to add “of the date” and “written”.

The proposed language is being modified to define the beginning of the sixty-five (65) day response time and to clarify that the request from the board is in writing. Adding text that specifies that the 65-day response time begins from the “date” of the “written request” will help avoid confusion among licensees regarding the response time for documenting compliance with this article.

- (2) Amend the last sentence of subsection (a) to add “of the date”, “second written”, and “for proof of compliance.”

The proposed language is being modified for consistency with the second sentence for response time as well as to define that the licensee has an additional 65 days to respond to the board’s written request to send proof of compliance that the board was unable to obtain initially from the Commission. Adding text that specifies that the 65-day response time begins from the date of the board’s “second written” request will help avoid confusion among licensees regarding the response time for providing proof of compliance after the board’s initial contact letter and subsequent inability to confirm certification directly with the National Commission on Certification of Physician Assistants.

- (3) Amend subsection (b) to remove the “,” after the word inquiry.

The proposed language was amended to make it clearer that this new ground for unprofessional conduct relates to a licensee’s failure to provide accurate or complete information to the board regarding compliance with the provisions of Article 8, and not for some other purpose.

(4) Amend subsection (c) to change the word “with” to “during”.

The proposed language is being modified for consistency within the subsection that relates to a licensee’s failure to comply with the CME requirements during the renewal period. It clarifies that the deficient hours are not counted toward the current renewal period CME requirement. Using the word “during” instead of “with” more accurately describes the current CME requirements set forth in California Code of Regulations, title 16, section 1399.615, subdivision (a), that a physician assistant “complete fifty (50) hours of approved continuing medical education **during** each two (2) year renewal period.”(Emphasis added.)