

No. 2013-100

AN ACT

HB 1348

Amending the act of December 20, 1985 (P.L.457, No.112), entitled "An act relating to the right to practice medicine and surgery and the right to practice medically related acts; reestablishing the State Board of Medical Education and Licensure as the State Board of Medicine and providing for its composition, powers and duties; providing for the issuance of licenses and certificates and the suspension and revocation of licenses and certificates; providing penalties; and making repeals," further providing for physician assistants.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Section 13(e) of the act of December 20, 1985 (P.L.457, No.112), known as the Medical Practice Act of 1985, amended July 20, 2007 (P.L.314, No.46), is amended and the section is amended by adding a subsection to read:

Section 13. Physician assistants.

* * *

(d.1) Patient record review.—

(1) The approved physician shall countersign 100% of the patient records completed by the physician assistant within a reasonable time, which shall not exceed ten days, during each of the following time periods:

(i) The first 12 months of the physician assistant's practice post graduation and after the physician assistant has fulfilled the criteria for licensure set forth in section 36(c).

(ii) The first 12 months of the physician assistant's practice in a new specialty in which the physician assistant is practicing.

(iii) The first six months of the physician assistant's practice in the same specialty under the supervision of the approved physician, unless the physician assistant has multiple approved physicians and practiced under the supervision of at least one of those approved physicians for six months.

(2) In the case of a physician assistant who is not subject to 100% review of the physician assistant's patient records pursuant to paragraph (1), the approved physician shall personally review on a regular basis a selected number of the patient records completed by the physician assistant. The approved physician shall select patient records for review on the basis of written criteria established by the approved physician and the physician assistant. The number of patient records reviewed shall be sufficient to assure adequate review of the physician assistant's scope of practice.

(e) Written agreement.—A physician assistant shall not provide a medical service without a written agreement with one or more physicians which provides for all of the following:

(1) Identifies and is signed by each physician the physician assistant will be assisting.

(2) Describes the manner in which the physician assistant will be assisting each named physician.

(3) Describes the nature and degree of supervision and direction each named physician will provide the physician assistant[.], ***including, but not limited to, the number and frequency of the patient record reviews required by subsection (d.1) and the criteria for selecting patient records for review when 100% review is not required.***

(4) Designates one of the named physicians as having the primary responsibility for supervising and directing the physician assistant.

(5) Has been approved by the board as satisfying the foregoing and as consistent with the restrictions contained in or authorized by this section. ***Upon submission of the application, board staff shall review the application only for completeness and shall issue a letter to the supervising physician providing the temporary authorization for the physician assistant to begin practice. If the application is not complete, including, but not limited to, required information or signatures not being provided or the fee not being submitted, a temporary authorization for the physician assistant to begin practicing shall not be issued. The temporary authorization, when issued, shall provide a period of 120 days during which the physician assistant may practice under the terms set forth in the written agreement as submitted to the board. Within 120 days the board shall notify the supervising physician of the final approval or disapproval of the application. If approved, a final approval of the written agreement shall be issued to the supervising physician. If there are discrepancies that have not been corrected within the 120-day period, the temporary authorization to practice shall expire.***

A physician assistant shall not assist a physician in a manner not described in the agreement or without the nature and degree of supervision and direction described in the agreement. There shall be no more than four physician assistants for whom a physician has responsibility or supervises pursuant to a written agreement at any time. In health care facilities licensed under the act of July 19, 1979 (P.L.130, No.48), known as the Health Care Facilities Act, a physician assistant shall be under the supervision and direction of a physician or physician group pursuant to a written agreement, provided that a physician supervises no more than four physician assistants at any time. A physician may apply for a waiver to employ or supervise more than four physician assistants at any time under this section for good cause, as determined by the board.

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Section 2. This act shall take effect in 60 days.

APPROVED—The 27th day of November, A.D. 2013

TOM CORBETT