

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1348 Session of
2013

INTRODUCED BY SONNEY, GIBBONS, GINGRICH, HARKINS, LUCAS,
MILLARD, PICKETT, READSHAW, COHEN, BIZZARRO, WATSON, MILNE,
MURT, KORTZ, PAINTER AND CALTAGIRONE, MAY 8, 2013

AS AMENDED ON THIRD CONSIDERATION, IN SENATE, NOVEMBER 18, 2013

AN ACT

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

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

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

17 Section 13. Physician assistants.

18 * * *

19 (d.1) Patient record review.--

20 (1) The approved physician shall countersign 100% of the
21 patient records completed by the physician assistant within a

1 reasonable time, which shall not exceed ten days, during each
2 of the following time periods:

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

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

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

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

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

30 (1) Identifies and is signed by each physician the

1 physician assistant will be assisting.

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

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

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

13 (5) Has been approved by the board as satisfying the
14 foregoing and as consistent with the restrictions contained
15 in or authorized by this section. UPON SUBMISSION OF THE <--
16 APPLICATION, BOARD STAFF SHALL REVIEW THE APPLICATION ONLY
17 FOR COMPLETENESS AND SHALL ISSUE A LETTER TO THE SUPERVISING
18 PHYSICIAN PROVIDING THE TEMPORARY AUTHORIZATION FOR THE
19 PHYSICIAN ASSISTANT TO BEGIN PRACTICE. IF THE APPLICATION IS
20 NOT COMPLETE, INCLUDING, BUT NOT LIMITED TO, REQUIRED
21 INFORMATION OR SIGNATURES NOT BEING PROVIDED OR THE FEE NOT
22 BEING SUBMITTED, A TEMPORARY AUTHORIZATION FOR THE PHYSICIAN
23 ASSISTANT TO BEGIN PRACTICING SHALL NOT BE ISSUED. THE
24 TEMPORARY AUTHORIZATION, WHEN ISSUED, SHALL PROVIDE A PERIOD
25 OF 120 DAYS DURING WHICH THE PHYSICIAN ASSISTANT MAY PRACTICE
26 UNDER THE TERMS SET FORTH IN THE WRITTEN AGREEMENT AS
27 SUBMITTED TO THE BOARD. WITHIN 120 DAYS THE BOARD SHALL
28 NOTIFY THE SUPERVISING PHYSICIAN OF THE FINAL APPROVAL OR
29 DISAPPROVAL OF THE APPLICATION. IF APPROVED, A FINAL APPROVAL
30 OF THE WRITTEN AGREEMENT SHALL BE ISSUED TO THE SUPERVISING

1 PHYSICIAN. IF THERE ARE DISCREPANCIES THAT HAVE NOT BEEN
2 CORRECTED WITHIN THE 120- DAY PERIOD, THE TEMPORARY
3 AUTHORIZATION TO PRACTICE SHALL EXPIRE.

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

18 * * *

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