

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 89

BY HEALTH AND WELFARE COMMITTEE

AN ACT

1
2 RELATING TO THE PHYSICIAN ASSISTANT ADVISORY COMMITTEE; AMENDING SECTION
3 54-1807A, IDAHO CODE, TO REVISE THE RATE OF COMPENSATION FOR THE MEMBERS
4 OF THE PHYSICIAN ASSISTANT ADVISORY COMMITTEE; AND DECLARING AN EMER-
5 GENCY.

6 Be It Enacted by the Legislature of the State of Idaho:

7 SECTION 1. That Section 54-1807A, Idaho Code, be, and the same is hereby
8 amended to read as follows:

9 54-1807A. PHYSICIAN ASSISTANTS -- SUPERVISING PHYSICIANS -- PHYSI-
10 CIAN ASSISTANT ADVISORY COMMITTEE. (1) Physician assistants must be li-
11 censed by the board prior to the commencement of activities which may involve
12 the practice of medicine in this state. The licensure requirements for
13 physician assistants shall include passage of an examination acceptable to
14 the board and submission of a completed application to the board on forms
15 furnished by the board. All applicants for original licensure as a physi-
16 cian assistant shall submit to a fingerprint-based criminal history check
17 of the Idaho central criminal database and the federal bureau of investiga-
18 tion criminal history database. Each applicant shall submit a full set of
19 the applicant's fingerprints on forms supplied by the board which shall be
20 forwarded by the board to the Idaho department of law enforcement and to the
21 federal bureau of investigation identification division. The board shall
22 determine and limit the scope of activities of each physician assistant on
23 the basis of completed courses of study or programs of instruction received.
24 Upon licensure, the board shall authorize each physician assistant to assist
25 a physician or group of physicians who are qualified and approved by the
26 board to supervise physician assistants to engage in activities as limited
27 by the board. The board shall fix a license fee. All physician assistants
28 shall renew their licenses annually.

29 (2) After a supervising physician or alternate supervising physician
30 receives board approval to supervise a physician assistant, the physician
31 may delegate medical services to the physician assistant as set forth in
32 the delegation of services agreement on forms approved by and filed with
33 the board. The physician assistant may perform delegated medical services
34 in any setting authorized by the supervising physician or alternate super-
35 vising physician and the board, including clinics, hospitals, ambulatory
36 surgical centers, patient homes, nursing homes and other health care insti-
37 tutions.

38 (3) The supervising physician and alternate supervising physician are
39 responsible for all aspects of the performance of a physician assistant
40 whether or not the supervising physician or alternate supervising physician
41 actually pays the physician assistant a salary. The supervising physician
42 and alternate supervising physician are responsible for supervising the

1 physician assistant and ensuring that the medical services performed by the
2 physician assistant are within the physician assistant's scope of training
3 and experience and have been properly delegated by the supervising physician
4 or alternate supervising physician.

5 (4) Supervision by a supervising physician or alternate supervising
6 physician shall be continuous but shall not be construed as necessarily
7 requiring the constant physical presence of the supervising physician or
8 alternate supervising physician at the time and place where medical services
9 are performed by the physician assistant.

10 (5) A supervising physician or alternate supervising physician shall
11 not delegate to a physician assistant the performance of any medical ser-
12 vices for which the supervising physician or alternate supervising physi-
13 cian does not have training or experience and does not perform.

14 (6) A physician assistant or a group of physician assistants may inde-
15 pendently own a medical practice in this state provided that the supervis-
16 ing physician, alternate supervising physician and each physician assistant
17 comply with all requirements of this section and board rules. Each physician
18 assistant must be licensed, registered or certified as a physician assistant
19 in any state, territory or jurisdiction of the United States for at least two
20 (2) years before the physician assistant may independently own a practice in
21 this state.

22 (7) A physician assistant advisory committee is hereby established as
23 follows:

24 (a) The physician assistant advisory committee shall consist of three
25 (3) members appointed by the board. In making appointments to fill a
26 vacancy created by the expiration of a term, the board shall give con-
27 sideration to recommendations made by professional organizations of
28 physician assistants and physicians. The board shall send notice to
29 such professional organizations requesting recommendations. If rec-
30 ommendations from such professional organizations are not received by
31 the board within sixty (60) days of notification, the board may appoint
32 any qualified individual without consideration of any such recommenda-
33 tions. In the event of a vacancy in any unexpired term, the professional
34 organizations may recommend, as soon as practical, at least two (2) and
35 not more than three (3) persons to fill that vacancy. As soon as prac-
36 tical, the board shall appoint one (1) person to complete the unexpired
37 term. If such professional organizations do not provide recommenda-
38 tions, the board shall appoint a person to complete the unexpired term
39 without consideration of any such recommendations. The board may re-
40 move any committee member for misconduct, incompetency or neglect of
41 duty after giving the member a written statement of the charges and an
42 opportunity to be heard thereon. The executive director of the Idaho
43 state board of medicine shall serve as the executive director to the
44 physician assistant advisory committee.

45 (b) Each member of the physician assistant advisory committee shall be
46 currently licensed as a physician assistant in Idaho and shall have ac-
47 tively practiced as a physician assistant in Idaho for three (3) years
48 immediately preceding appointment. Members will serve a term of three
49 (3) years and terms will be staggered. Members may serve two (2) succes-
50 sive terms. The committee shall elect a chairman from its membership.

1 The committee shall meet as often as necessary to fulfill its responsi-
2 bilities. Members will be compensated according to section 59-509 (~~h~~),
3 Idaho Code.

4 (c) The physician assistant advisory committee shall not have author-
5 ity to revoke licenses or impose limitations or conditions on licenses
6 issued pursuant to this chapter. The committee has authority to make
7 recommendations to the board. The board shall make all final decisions
8 with respect thereto.

9 (d) The physician assistant advisory committee shall work in the fol-
10 lowing areas in conjunction with and make recommendations to the board
11 and shall perform other duties and functions assigned to it by the
12 board, including:

13 (i) Evaluating the qualifications of applicants for licensure
14 and registration;

15 (ii) Performing investigations of misconduct and making recom-
16 mendations regarding discipline;

17 (iii) Maintaining a list of currently licensed physician assis-
18 tants and graduate physician assistants in this state; and

19 (iv) Advising the board on rule changes necessary to license and
20 regulate physician assistants and graduate physician assistants
21 in this state.

22 SECTION 2. An emergency existing therefor, which emergency is hereby
23 declared to exist, this act shall be in full force and effect on and after its
24 passage and approval.