

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 880 Session of
1999

INTRODUCED BY CIVERA, MARKOSEK, GORDNER, MICOZZIE, VANCE,
HARHAI, READSHAW, BARRAR, DeLUCA, TRUE, MELIO, TRICH, SAYLOR,
DALLY, GLADECK, HERMAN, ALLEN, TULLI, BARD, STEELMAN, YEWCIC,
DAILEY AND MAHER, MARCH 15, 1999

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,
OCTOBER 3, 2000

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 assistant ~~certificates~~ LICENSES. <—

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

13 ~~Section 1. Section 36 of the act of December 20, 1985~~ <—
14 ~~(P.L.457, No.112), known as the Medical Practice Act of 1985, is~~
15 ~~amended to read:~~

16 SECTION 1. THE DEFINITIONS OF "MEDICAL TRAINING FACILITY" <—
17 AND "PHYSICIAN ASSISTANT" IN SECTION 2 OF THE ACT OF DECEMBER
18 20, 1985 (P.L.457, NO.112), KNOWN AS THE MEDICAL PRACTICE ACT OF
19 1985, ARE AMENDED TO READ:

20 SECTION 2. DEFINITIONS.

THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS ACT SHALL
HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE
CONTEXT CLEARLY INDICATES OTHERWISE:

* * *

"MEDICAL TRAINING FACILITY." A MEDICAL COLLEGE, HOSPITAL OR
OTHER INSTITUTION WHICH PROVIDES COURSES IN THE ART AND SCIENCE
OF MEDICINE AND SURGERY AND RELATED SUBJECTS FOR THE PURPOSE OF
ENABLING A MATRICULANT TO QUALIFY FOR A LICENSE TO PRACTICE
MEDICINE AND SURGERY, GRADUATE MEDICAL TRAINING, MIDWIFE
CERTIFICATE OR PHYSICIAN ASSISTANT [CERTIFICATE] LICENSE.

* * *

"PHYSICIAN ASSISTANT." AN INDIVIDUAL WHO IS [CERTIFIED]
LICENSED AS A PHYSICIAN ASSISTANT BY THE BOARD.

SECTION 2. SECTION 13.2 OF THE ACT, ADDED DECEMBER 27, 1994
(P.L.1353, NO.157) IS AMENDED TO READ:
SECTION 13.2. GRADUATE PHYSICIAN ASSISTANT.

(A) PRACTICE.--GRADUATES OF A PHYSICIAN ASSISTANT PROGRAM
RECOGNIZED BY THE BOARD MAY REGISTER WITH THE BOARD AND PRACTICE
ONLY UNDER DIRECT SUPERVISION OF A PHYSICIAN UNTIL [CERTIFIED]
LICENSED BY A PROCESS RECOGNIZED BY THE BOARD. PRACTICE UNDER
THIS SECTION SHALL BE LIMITED TO THE PERIOD BETWEEN GRADUATION
AND RECEIPT OF THE RESULTS OF THE FIRST EXAMINATION AFTER
GRADUATION OFFERED BY AN EXAMINATION AGENCY IN ACCORDANCE WITH
SECTION 24. IF THE PERSON APPLYING FOR [CERTIFICATION] LICENSURE
FAILS THE EXAMINATION, THE AUTHORITY TO PRACTICE UNDER THIS
SECTION SHALL EXPIRE.

(B) USE OF TITLE.--THE TITLE "GRADUATE PHYSICIAN ASSISTANT"
OR THE ABBREVIATION "GPA" SHALL BE USED UNTIL [CERTIFICATION]
LICENSURE IS OBTAINED.

(C) DRUGS.--A GRADUATE PHYSICIAN ASSISTANT SHALL NOT BE

1 PERMITTED TO PRESCRIBE OR DISPENSE DRUGS AT THE DIRECTION OF A
2 PHYSICIAN UNTIL [CERTIFICATION] LICENSURE HAS BEEN COMPLETED.

3 SECTION 3. SECTIONS 22 AND 36 OF THE ACT ARE AMENDED TO
4 READ:

5 SECTION 22. LICENSES AND CERTIFICATES; GENERAL QUALIFICATION.

6 (A) TYPES OF LICENSES AND CERTIFICATES.--THE BOARD MAY GRANT
7 THE FOLLOWING LICENSES AND CERTIFICATES:

8 (1) LICENSE WITHOUT RESTRICTION.

9 (2) INTERIM LIMITED LICENSE.

10 (3) GRADUATE LICENSE.

11 (4) INSTITUTIONAL LICENSE.

12 (5) TEMPORARY LICENSE.

13 (6) EXTRATERRITORIAL LICENSE.

14 (7) MIDWIFE LICENSE.

15 (8) PHYSICIAN ASSISTANT [CERTIFICATE] LICENSE.

16 (B) QUALIFICATIONS.--THE BOARD SHALL NOT ISSUE A LICENSE OR
17 CERTIFICATE TO AN APPLICANT UNLESS THE APPLICANT ESTABLISHES
18 WITH EVIDENCE, VERIFIED BY AN AFFIDAVIT OR AFFIRMATION OF THE
19 APPLICANT, THAT THE APPLICANT IS OF LEGAL AGE, IS OF GOOD MORAL
20 CHARACTER AND IS NOT ADDICTED TO THE INTEMPERATE USE OF ALCOHOL
21 OR THE HABITUAL USE OF NARCOTICS OR OTHER HABIT-FORMING DRUGS
22 AND THAT THE APPLICANT HAS COMPLETED THE EDUCATIONAL
23 REQUIREMENTS PRESCRIBED BY THE BOARD AND OTHERWISE SATISFIES THE
24 QUALIFICATIONS FOR THE LICENSE OR CERTIFICATE CONTAINED IN OR
25 AUTHORIZED BY THIS ACT. THE BOARD SHALL NOT ISSUE A LICENSE OR
26 CERTIFICATE TO AN APPLICANT WHO HAS BEEN CONVICTED OF A FELONY
27 UNDER THE ACT OF APRIL 14, 1972 (P.L.233, NO.64), KNOWN AS THE
28 CONTROLLED SUBSTANCE, DRUG, DEVICE AND COSMETIC ACT, OR OF AN
29 OFFENSE UNDER THE LAWS OF ANOTHER JURISDICTION WHICH, IF
30 COMMITTED IN THIS COMMONWEALTH, WOULD BE A FELONY UNDER THE

1 CONTROLLED SUBSTANCE, DRUG, DEVICE AND COSMETIC ACT, UNLESS:

2 (1) AT LEAST TEN YEARS HAVE ELAPSED FROM THE DATE OF
3 CONVICTION;

4 (2) THE APPLICANT SATISFACTORILY DEMONSTRATES TO THE
5 BOARD THAT HE HAS MADE SIGNIFICANT PROGRESS IN PERSONAL
6 REHABILITATION SINCE THE CONVICTION SUCH THAT LICENSURE OF
7 THE APPLICANT SHOULD NOT BE EXPECTED TO CREATE A SUBSTANTIAL
8 RISK OF HARM TO THE HEALTH AND SAFETY OF HIS PATIENTS OR THE
9 PUBLIC OR A SUBSTANTIAL RISK OF FURTHER CRIMINAL VIOLATIONS;
10 AND

11 (3) THE APPLICANT OTHERWISE SATISFIES THE QUALIFICATIONS
12 CONTAINED IN OR AUTHORIZED BY THIS ACT.

13 AS USED IN THIS SECTION THE TERM "CONVICTED" SHALL INCLUDE A
14 JUDGMENT, AN ADMISSION OF GUILT OR A PLEA OF NOLO CONTENDERE.

15 (C) REFUSAL.--THE BOARD MAY REFUSE TO ISSUE A LICENSE OR
16 CERTIFICATE TO AN APPLICANT BASED UPON A GROUND FOR SUCH ACTION
17 CONTAINED IN SECTION 41.

18 (D) LIMITATION.--THE BOARD SHALL NOT REFUSE TO ISSUE A
19 LICENSE OR CERTIFICATE TO AN APPLICANT UNLESS THE APPLICANT HAS
20 BEEN AFFORDED THE PROCEDURAL PROTECTIONS REQUIRED BY THIS ACT.

21 Section 36. Physician assistant [certificate] LICENSE. <—

22 (a) General rule.--A physician assistant [certificate] <—
23 LICENSE empowers the holder to assist a medical doctor in the <—
24 provision of medical care and services under the supervision and
25 direction of that medical doctor as provided in this act.

26 (b) Requirements.--No physician assistant [certificate] <—
27 LICENSE may be issued to the applicant unless the requirements <—
28 set forth by this act and such rules and regulations issued by
29 the board are met, including requirements for the physician
30 assistant [certificate of] training and educational programs <—

1 which shall be formulated by the board in accordance with such
2 national criteria as are established by national organizations
3 or societies as the board may accept.

4 (c) Criteria.--The board shall grant physician assistant
5 [certificates] LICENSES to applicants who have fulfilled the
6 following criteria:

<—

7 (1) Satisfactory performance on the proficiency
8 examination to the extent that a proficiency examination
9 exists.

10 (2) Satisfactory completion of a certified program for
11 the training and education of physician assistants.

12 (3) For candidates for initial ~~certification~~ LICENSURE
13 after January 1, 2002, obtainment of a baccalaureate or
14 higher degree from a college or university and completion of
15 not less than 60 clock hours of didactic instruction in
16 pharmacology or other related courses as the board may
17 approve by regulation.

<—

18 (d) Biennial renewal.--A physician assistant [certificate]
19 LICENSE shall be subject to biennial renewal by the board.

<—

<—

20 (e) Description of manner of assistance.--The application
21 shall include a written request from the applicant's supervising
22 medical doctor who shall file with the board a description of
23 the manner in which the physician assistant will assist the
24 supervising medical doctor, which description shall be subject
25 to the approval of the board.

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