

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 967 Session of
2001

INTRODUCED BY CIVERA, CALTAGIRONE, L. I. COHEN, M. COHEN, DALLY,
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E. Z. TAYLOR, THOMAS, TIGUE, VANCE, WALKO, WILT, YEWCIC AND
YOUNGBLOOD, MARCH 14, 2001

REFERRED TO COMMITTEE ON PROFESSIONAL LICENSURE, MARCH 14, 2001

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 licenses.

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

13 Section 1. The definitions of "medical training facility"
14 and "physician assistant" in section 2 of the act of December
15 20, 1985 (P.L.457, No.112), known as the Medical Practice Act of
16 1985, are amended to read:

17 Section 2. Definitions.

18 The following words and phrases when used in this act shall
19 have the meanings given to them in this section unless the
20 context clearly indicates otherwise:

1 * * *

2 "Medical training facility." A medical college, hospital or
3 other institution which provides courses in the art and science
4 of medicine and surgery and related subjects for the purpose of
5 enabling a matriculant to qualify for a license to practice
6 medicine and surgery, graduate medical training, midwife
7 certificate or physician assistant [certificate] license.

8 * * *

9 "Physician assistant." An individual who is [certified]
10 licensed as a physician assistant by the board.

11 Section 2. Section 13.2 of the act, added December 27, 1994
12 (P.L.1353, No.157) is amended to read:

13 Section 13.2. Graduate physician assistant.

14 (a) Practice.--Graduates of a physician assistant program
15 recognized by the board may register with the board and practice
16 only under direct supervision of a physician until [certified]
17 licensed by a process recognized by the board. Practice under
18 this section shall be limited to the period between graduation
19 and receipt of the results of the first examination after
20 graduation offered by an examination agency in accordance with
21 section 24. If the person applying for [certification] licensure
22 fails the examination, the authority to practice under this
23 section shall expire.

24 (b) Use of title.--The title "graduate physician assistant"
25 or the abbreviation "GPA" shall be used until [certification]
26 licensure is obtained.

27 (c) Drugs.--A graduate physician assistant shall not be
28 permitted to prescribe or dispense drugs at the direction of a
29 physician until [certification] licensure has been completed.

30 Section 3. Sections 22 and 36 of the act are amended to

1 read:

2 Section 22. Licenses and certificates; general qualification.

3 (a) Types of licenses and certificates.--The board may grant
4 the following licenses and certificates:

5 (1) License without restriction.

6 (2) Interim limited license.

7 (3) Graduate license.

8 (4) Institutional license.

9 (5) Temporary license.

10 (6) Extraterritorial license.

11 (7) Midwife license.

12 (8) Physician assistant [certificate] license.

13 (b) Qualifications.--The board shall not issue a license or
14 certificate to an applicant unless the applicant establishes
15 with evidence, verified by an affidavit or affirmation of the
16 applicant, that the applicant is of legal age, is of good moral
17 character and is not addicted to the intemperate use of alcohol
18 or the habitual use of narcotics or other habit-forming drugs
19 and that the applicant has completed the educational
20 requirements prescribed by the board and otherwise satisfies the
21 qualifications for the license or certificate contained in or
22 authorized by this act. The board shall not issue a license or
23 certificate to an applicant who has been convicted of a felony
24 under the act of April 14, 1972 (P.L.233, No.64), known as The
25 Controlled Substance, Drug, Device and Cosmetic Act, or of an
26 offense under the laws of another jurisdiction which, if
27 committed in this Commonwealth, would be a felony under The
28 Controlled Substance, Drug, Device and Cosmetic Act, unless:

29 (1) at least ten years have elapsed from the date of
30 conviction;

1 (2) the applicant satisfactorily demonstrates to the
2 board that he has made significant progress in personal
3 rehabilitation since the conviction such that licensure of
4 the applicant should not be expected to create a substantial
5 risk of harm to the health and safety of his patients or the
6 public or a substantial risk of further criminal violations;
7 and

8 (3) the applicant otherwise satisfies the qualifications
9 contained in or authorized by this act.

10 As used in this section the term "convicted" shall include a
11 judgment, an admission of guilt or a plea of nolo contendere.

12 (c) Refusal.--The board may refuse to issue a license or
13 certificate to an applicant based upon a ground for such action
14 contained in section 41.

15 (d) Limitation.--The board shall not refuse to issue a
16 license or certificate to an applicant unless the applicant has
17 been afforded the procedural protections required by this act.

18 Section 36. Physician assistant [certificate] license.

19 (a) General rule.--A physician assistant [certificate]
20 license empowers the holder to assist a medical doctor in the
21 provision of medical care and services under the supervision and
22 direction of that medical doctor as provided in this act.

23 (b) Requirements.--No physician assistant [certificate]
24 license may be issued to the applicant unless the requirements
25 set forth by this act and such rules and regulations issued by
26 the board are met, including requirements for the physician
27 assistant [certificate of] training and educational programs
28 which shall be formulated by the board in accordance with such
29 national criteria as are established by national organizations
30 or societies as the board may accept.

1 (c) Criteria.--The board shall grant physician assistant
2 [certificates] licenses to applicants who have fulfilled the
3 following criteria:

4 (1) Satisfactory performance on the proficiency
5 examination to the extent that a proficiency examination
6 exists.

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

9 (3) For candidates for initial licensure after January
10 1, 2004, obtainment of a baccalaureate or higher degree from
11 a college or university and completion of not less than 60
12 clock hours of didactic instruction in pharmacology or other
13 related courses as the board may approve by regulation.

14 (d) Biennial renewal.--A physician assistant [certificate]
15 license shall be subject to biennial renewal by the board.

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

22 Section 4. This act shall take effect in 60 days.