

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 398 Session of 2021

INTRODUCED BY PITTMAN, SCAVELLO, COLLETT, YUDICHAK, MENSCH, YAW, BAKER, HUTCHINSON, STEFANO, REGAN, BOSCOLA AND BARTOLOTTA, MARCH 11, 2021

SENATOR TOMLINSON, CONSUMER PROTECTION AND PROFESSIONAL LICENSURE, AS AMENDED, JUNE 8, 2021

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; provided penalties;
9 and making repeals," further providing for DEFINITIONS, FOR <--
10 State Board of Medicine and for physician assistants; AND <--
11 ABROGATING REGULATIONS.

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

14 Section 1. Section 3(a) and (b) of the act of December 20, <--
15 1985 (P.L.457, No.112), known as the Medical Practice Act of
16 1985, are amended to read:

17 SECTION 1. THE DEFINITION OF "PRIMARY SUPERVISING PHYSICIAN" <--
18 IN SECTION 2 OF THE ACT OF DECEMBER 20, 1985 (P.L.457, NO.112),
19 KNOWN AS THE MEDICAL PRACTICE ACT OF 1985, IS AMENDED TO READ:
20 SECTION 2. DEFINITIONS.

21 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS ACT SHALL

1 HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE
2 CONTEXT CLEARLY INDICATES OTHERWISE:

3 * * *

4 "PRIMARY SUPERVISING PHYSICIAN." A MEDICAL DOCTOR WHO IS
5 REGISTERED WITH THE BOARD AND DESIGNATED IN A WRITTEN AGREEMENT
6 WITH A PHYSICIAN ASSISTANT UNDER SECTION 13(E) AS HAVING PRIMARY
7 RESPONSIBILITY FOR [DIRECTING AND PERSONALLY] SUPERVISING THE
8 PHYSICIAN ASSISTANT.

9 * * *

10 SECTION 2. SECTION 3(A) AND (B) OF THE ACT ARE AMENDED TO
11 READ:

12 Section 3. State Board of Medicine.

13 (a) Establishment.--The State Board of Medicine shall
14 consist of the commissioner or [his] THE COMMISSIONER'S <--
15 designee, the Secretary of Health or [his] THE SECRETARY OF <--
16 HEALTH'S designee, two members appointed by the Governor who
17 shall be persons representing the public at large and [seven]
18 ~~eight~~ NINE members appointed by the Governor, ~~one of whom shall~~ <--
19 ~~be a physician assistant,~~ [six] ONE OF WHOM SHALL BE A PHYSICIAN <--
20 ASSISTANT, SEVEN of whom shall be medical doctors with
21 unrestricted licenses to practice medicine and surgery in this
22 Commonwealth for five years immediately preceding their
23 appointment and one who shall be a nurse midwife, [physician
24 assistant, certified registered nurse practitioner,] respiratory
25 therapist, licensed athletic trainer or perfusionist licensed or
26 certified under the laws of this Commonwealth. All professional
27 and public members of the board shall be appointed by the
28 Governor, with the advice and consent of a majority of the
29 members elected to the Senate.

30 (b) Terms of office.--The term of each professional and

1 public member of the board shall be four years or until [his or <--
2 her] A successor has been appointed and qualified, but not <--
3 longer than six months beyond the four-year period. In the event
4 that any of said members shall die or resign or otherwise become
5 disqualified during [his or her] THE MEMBER'S term, a successor <--
6 shall be appointed in the same way and with the same
7 qualifications and shall hold office for the unexpired term. No
8 member shall be eligible for appointment to serve more than two
9 consecutive terms. The Governor shall assure that nurse
10 midwives, [physician assistants, certified registered nurse
11 practitioners,] perfusionists and respiratory therapists are
12 appointed to four-year terms on a rotating basis so that, of
13 every four appointments to a four-year term, one is a nurse
14 midwife, [one is a physician assistant, one is a certified
15 registered nurse practitioner] one is an athletic trainer, one
16 is a perfusionist and one is a respiratory therapist.

17 * * *

18 ~~Section 2. Section 13(d), (d.1) and (e) of the act, amended <--~~
19 ~~July 2, 2019 (P.L.413, No.68), are amended to read:~~

20 ~~Section 13. Physician assistants.~~

21 * * *

22 ~~(d) Supervision. [A physician assistant shall not perform a~~
23 ~~medical service without the supervision and personal direction~~
24 ~~of an approved physician. The board shall promulgate regulations~~
25 ~~which define the supervision and personal direction required by~~
26 ~~the standards of acceptable medical practice embraced by the~~
27 ~~medical doctor community in this Commonwealth.~~

28 ~~(d.1) Patient record review.~~

29 ~~(1) The approved physician shall countersign 100% of the~~
30 ~~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.] The supervising physician shall be responsible for~~
27 ~~the medical services that a physician assistant renders.~~
28 ~~Supervision shall not require the onsite presence or personal~~
29 ~~direction of the supervising physician.~~

30 ~~(c) Written agreement. A physician assistant shall [not~~

1 ~~provide a medical service without a written agreement with one~~
2 ~~or more physicians] provide medical services according to a~~
3 ~~written agreement which provides for all of the following:~~

4 ~~(1) Identifies and is signed by [each physician the~~
5 ~~physician assistant will be assisting] the primary~~
6 ~~supervising physician.~~

7 ~~(2) Describes the [manner in which the physician~~
8 ~~assistant will be assisting each named physician. The written~~
9 ~~agreement and description may be prepared and submitted by~~
10 ~~the primary supervising physician, the physician assistant or~~
11 ~~a delegate of the primary supervising physician and the~~
12 ~~physician assistant. It shall not be a defense in any~~
13 ~~administrative or civil action that the physician assistant~~
14 ~~acted outside the scope of the board approved description or~~
15 ~~that the supervising physician utilized the physician~~
16 ~~assistant outside the scope of the board approved description~~
17 ~~because the supervising physician or physician assistant~~
18 ~~permitted another person to represent to the board that the~~
19 ~~description had been approved by the supervising physician or~~
20 ~~physician assistant] physician assistant's scope of practice.~~

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

28 ~~(4) Designates one [of the named physicians] physician~~
29 ~~as having the primary responsibility for supervising [and~~
30 ~~directing] the physician assistant.~~

1 ~~[(5) Has been approved by the board as satisfying the~~
2 ~~foregoing and as consistent with the restrictions contained~~
3 ~~in or authorized by this section. Upon submission of the~~
4 ~~application, board staff shall review the application only~~
5 ~~for completeness and shall issue a letter to the supervising~~
6 ~~physician providing the temporary authorization for the~~
7 ~~physician assistant to begin practice. If the application is~~
8 ~~not complete, including, but not limited to, required~~
9 ~~information or signatures not being provided or the fee not~~
10 ~~being submitted, a temporary authorization for the physician~~
11 ~~assistant to begin practicing shall not be issued. The~~
12 ~~temporary authorization, when issued, shall provide a period~~
13 ~~of 120 days during which the physician assistant may practice~~
14 ~~under the terms set forth in the written agreement as~~
15 ~~submitted to the board. Within 120 days the board shall~~
16 ~~notify the supervising physician of the final approval or~~
17 ~~disapproval of the application. If approved, a final approval~~
18 ~~of the written agreement shall be issued to the supervising~~
19 ~~physician. If there are discrepancies that have not been~~
20 ~~corrected within the 120 day period, the temporary~~
21 ~~authorization to practice shall expire.]~~

22 ~~(5.1) Is maintained by the supervising physician at the~~
23 ~~practice or health care facility and available to the board~~
24 ~~upon request. The written agreement shall be supplied to the~~
25 ~~board within 30 days of a request.~~

26 ~~A physician assistant shall [not assist a physician in a manner~~
27 ~~not described in the agreement or without the nature and degree~~
28 ~~of supervision and direction described in the agreement. There~~
29 ~~shall be no more than four physician assistants for whom a~~
30 ~~physician has responsibility or supervises pursuant to a written~~

1 ~~agreement at any time. In health care facilities licensed under~~
2 ~~the act of July 19, 1979 (P.L.130, No.48), known as the Health~~
3 ~~Care Facilities Act, a physician assistant shall be under the~~
4 ~~supervision and direction of a physician or physician group~~
5 ~~pursuant to a written agreement, provided that a physician~~
6 ~~supervises no more than four physician assistants at any time. A~~
7 ~~physician may apply for a waiver to employ or supervise more~~
8 ~~than four physician assistants at any time under this section~~
9 ~~for good cause, as determined by the board.] provide medical~~
10 ~~services in a manner as described in the agreement. A~~
11 ~~supervising physician shall determine the number of physician~~
12 ~~assistants supervised at any one time.~~

13 * * *

14 SECTION 3. SECTION 13(C.1) INTRODUCTORY PARAGRAPH, (C.2) (1), <--
15 (D), (D.1), (E) AND (G) OF THE ACT ARE AMENDED TO READ:

16 SECTION 13. PHYSICIAN ASSISTANTS.

17 * * *

18 (C.1) EXCEPT AS LIMITED BY SUBSECTION (C.2), AND IN ADDITION
19 TO EXISTING AUTHORITY, A PHYSICIAN ASSISTANT SHALL HAVE
20 AUTHORITY TO DO ALL OF THE FOLLOWING, PROVIDED THAT THE
21 PHYSICIAN ASSISTANT IS ACTING WITHIN THE SUPERVISION [AND
22 DIRECTION] OF THE SUPERVISING PHYSICIAN:

23 * * *

24 (C.2) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO:

25 (1) SUPERSEDE THE AUTHORITY OF THE DEPARTMENT OF HEALTH
26 AND THE DEPARTMENT OF [PUBLIC WELFARE] HUMAN SERVICES TO
27 REGULATE THE TYPES OF HEALTH CARE PROFESSIONALS WHO ARE
28 ELIGIBLE FOR MEDICAL STAFF MEMBERSHIP OR CLINICAL PRIVILEGES.

29 * * *

30 (D) SUPERVISION.--[A PHYSICIAN ASSISTANT SHALL NOT PERFORM A

1 MEDICAL SERVICE WITHOUT THE SUPERVISION AND PERSONAL DIRECTION
2 OF AN APPROVED PHYSICIAN. THE BOARD SHALL PROMULGATE REGULATIONS
3 WHICH DEFINE THE SUPERVISION AND PERSONAL DIRECTION REQUIRED BY
4 THE STANDARDS OF ACCEPTABLE MEDICAL PRACTICE EMBRACED BY THE
5 MEDICAL DOCTOR COMMUNITY IN THIS COMMONWEALTH.] THE SUPERVISING
6 PHYSICIAN SHALL BE RESPONSIBLE FOR THE MEDICAL SERVICES THAT A
7 PHYSICIAN ASSISTANT RENDERS. SUPERVISION SHALL NOT REQUIRE THE
8 ONSITE PRESENCE OR PERSONAL DIRECTION OF THE SUPERVISING
9 PHYSICIAN.

10 (D.1) PATIENT RECORD REVIEW.--

11 [(1) THE APPROVED PHYSICIAN SHALL COUNTERSIGN 100% OF
12 THE PATIENT RECORDS COMPLETED BY THE PHYSICIAN ASSISTANT
13 WITHIN A REASONABLE TIME, WHICH SHALL NOT EXCEED TEN DAYS,
14 DURING EACH OF THE FOLLOWING TIME PERIODS:

15 (I) THE FIRST 12 MONTHS OF THE PHYSICIAN ASSISTANT'S
16 PRACTICE POST GRADUATION AND AFTER THE PHYSICIAN
17 ASSISTANT HAS FULFILLED THE CRITERIA FOR LICENSURE SET
18 FORTH IN SECTION 36(C).

19 (II) THE FIRST 12 MONTHS OF THE PHYSICIAN
20 ASSISTANT'S PRACTICE IN A NEW SPECIALTY IN WHICH THE
21 PHYSICIAN ASSISTANT IS PRACTICING.

22 (III) THE FIRST SIX MONTHS OF THE PHYSICIAN
23 ASSISTANT'S PRACTICE IN THE SAME SPECIALTY UNDER THE
24 SUPERVISION OF THE APPROVED PHYSICIAN, UNLESS THE
25 PHYSICIAN ASSISTANT HAS MULTIPLE APPROVED PHYSICIANS AND
26 PRACTICED UNDER THE SUPERVISION OF AT LEAST ONE OF THOSE
27 APPROVED PHYSICIANS FOR SIX MONTHS.

28 (2) IN THE CASE OF A PHYSICIAN ASSISTANT WHO IS NOT
29 SUBJECT TO 100% REVIEW OF THE PHYSICIAN ASSISTANT'S PATIENT
30 RECORDS PURSUANT TO PARAGRAPH (1), THE APPROVED PHYSICIAN

1 SHALL PERSONALLY REVIEW ON A REGULAR BASIS A SELECTED NUMBER
2 OF THE PATIENT RECORDS COMPLETED BY THE PHYSICIAN ASSISTANT.
3 THE APPROVED PHYSICIAN SHALL SELECT PATIENT RECORDS FOR
4 REVIEW ON THE BASIS OF WRITTEN CRITERIA ESTABLISHED BY THE
5 APPROVED PHYSICIAN AND THE PHYSICIAN ASSISTANT. THE NUMBER OF
6 PATIENT RECORDS REVIEWED SHALL BE SUFFICIENT TO ASSURE
7 ADEQUATE REVIEW OF THE PHYSICIAN ASSISTANT'S SCOPE OF
8 PRACTICE.]

9 (3) THE PRIMARY SUPERVISING PHYSICIAN SHALL DETERMINE
10 COUNTERSIGNATURE REQUIREMENTS OF PATIENT RECORDS COMPLETED BY
11 THE PHYSICIAN ASSISTANT IN A WRITTEN AGREEMENT, EXCEPT AS
12 PROVIDED FOR IN PARAGRAPH (4).

13 (4) THE PRIMARY SUPERVISING PHYSICIAN SHALL COUNTERSIGN
14 100% OF PATIENT RECORDS COMPLETED BY THE PHYSICIAN ASSISTANT
15 WITHIN A REASONABLE TIME, WHICH SHALL NOT EXCEED TEN DAYS FOR
16 THE FIRST 12 MONTHS OF THE PHYSICIAN ASSISTANT'S PRACTICE
17 POST GRADUATION AND AFTER THE PHYSICIAN ASSISTANT HAS
18 FULFILLED THE CRITERIA FOR LICENSURE SET FORTH IN SECTION
19 36(C).

20 (E) WRITTEN AGREEMENT.--A PHYSICIAN ASSISTANT SHALL [NOT
21 PROVIDE A MEDICAL SERVICE WITHOUT A WRITTEN AGREEMENT WITH ONE
22 OR MORE PHYSICIANS] PROVIDE MEDICAL SERVICES ACCORDING TO A
23 WRITTEN AGREEMENT WHICH PROVIDES FOR ALL OF THE FOLLOWING:

24 (1) IDENTIFIES AND IS SIGNED BY [EACH PHYSICIAN THE
25 PHYSICIAN ASSISTANT WILL BE ASSISTING] THE PRIMARY
26 SUPERVISING PHYSICIAN.

27 (2) DESCRIBES THE [MANNER IN WHICH THE PHYSICIAN
28 ASSISTANT WILL BE ASSISTING EACH NAMED PHYSICIAN. THE WRITTEN
29 AGREEMENT AND DESCRIPTION MAY BE PREPARED AND SUBMITTED BY
30 THE PRIMARY SUPERVISING PHYSICIAN, THE PHYSICIAN ASSISTANT OR

1 A DELEGATE OF THE PRIMARY SUPERVISING PHYSICIAN AND THE
2 PHYSICIAN ASSISTANT. IT SHALL NOT BE A DEFENSE IN ANY
3 ADMINISTRATIVE OR CIVIL ACTION THAT THE PHYSICIAN ASSISTANT
4 ACTED OUTSIDE THE SCOPE OF THE BOARD-APPROVED DESCRIPTION OR
5 THAT THE SUPERVISING PHYSICIAN UTILIZED THE PHYSICIAN
6 ASSISTANT OUTSIDE THE SCOPE OF THE BOARD-APPROVED DESCRIPTION
7 BECAUSE THE SUPERVISING PHYSICIAN OR PHYSICIAN ASSISTANT
8 PERMITTED ANOTHER PERSON TO REPRESENT TO THE BOARD THAT THE
9 DESCRIPTION HAD BEEN APPROVED BY THE SUPERVISING PHYSICIAN OR
10 PHYSICIAN ASSISTANT] PHYSICIAN ASSISTANT'S SCOPE OF PRACTICE.

11 (3) DESCRIBES THE NATURE AND DEGREE OF SUPERVISION [AND
12 DIRECTION EACH NAMED PHYSICIAN WILL PROVIDE THE PHYSICIAN
13 ASSISTANT, INCLUDING, BUT NOT LIMITED TO, THE NUMBER AND
14 FREQUENCY OF THE PATIENT RECORD REVIEWS REQUIRED BY
15 SUBSECTION (D.1) AND THE CRITERIA FOR SELECTING PATIENT
16 RECORDS FOR REVIEW WHEN 100% REVIEW IS NOT REQUIRED] THE
17 PRIMARY SUPERVISING PHYSICIAN WILL PROVIDE THE PHYSICIAN
18 ASSISTANT.

19 (4) [DESIGNATES ONE OF THE NAMED PHYSICIANS AS HAVING
20 THE PRIMARY RESPONSIBILITY FOR SUPERVISING AND DIRECTING THE
21 PHYSICIAN ASSISTANT.] IS PREPARED AND SUBMITTED BY THE
22 PRIMARY SUPERVISING PHYSICIAN, THE PHYSICIAN ASSISTANT OR A
23 DELEGATE OF THE PRIMARY SUPERVISING PHYSICIAN AND THE
24 PHYSICIAN ASSISTANT. IT SHALL NOT BE A DEFENSE IN ANY
25 ADMINISTRATIVE OR CIVIL ACTION THAT THE PHYSICIAN ASSISTANT
26 ACTED OUTSIDE THE SCOPE OF THE BOARD-FILED DESCRIPTION OR
27 THAT THE SUPERVISING PHYSICIAN UTILIZED THE PHYSICIAN
28 ASSISTANT OUTSIDE THE SCOPE OF THE BOARD-FILED DESCRIPTION
29 BECAUSE THE SUPERVISING PHYSICIAN OR PHYSICIAN ASSISTANT
30 PERMITTED ANOTHER PERSON TO REPRESENT TO THE BOARD THAT THE

1 DESCRIPTION HAD BEEN APPROVED BY THE SUPERVISING PHYSICIAN OR
2 PHYSICIAN ASSISTANT.

3 [(5) HAS BEEN APPROVED BY THE BOARD AS SATISFYING THE
4 FOREGOING AND AS CONSISTENT WITH THE RESTRICTIONS CONTAINED
5 IN OR AUTHORIZED BY THIS SECTION. UPON SUBMISSION OF THE
6 APPLICATION, BOARD STAFF SHALL REVIEW THE APPLICATION ONLY
7 FOR COMPLETENESS AND SHALL ISSUE A LETTER TO THE SUPERVISING
8 PHYSICIAN PROVIDING THE TEMPORARY AUTHORIZATION FOR THE
9 PHYSICIAN ASSISTANT TO BEGIN PRACTICE. IF THE APPLICATION IS
10 NOT COMPLETE, INCLUDING, BUT NOT LIMITED TO, REQUIRED
11 INFORMATION OR SIGNATURES NOT BEING PROVIDED OR THE FEE NOT
12 BEING SUBMITTED, A TEMPORARY AUTHORIZATION FOR THE PHYSICIAN
13 ASSISTANT TO BEGIN PRACTICING SHALL NOT BE ISSUED. THE
14 TEMPORARY AUTHORIZATION, WHEN ISSUED, SHALL PROVIDE A PERIOD
15 OF 120 DAYS DURING WHICH THE PHYSICIAN ASSISTANT MAY PRACTICE
16 UNDER THE TERMS SET FORTH IN THE WRITTEN AGREEMENT AS
17 SUBMITTED TO THE BOARD. WITHIN 120 DAYS THE BOARD SHALL
18 NOTIFY THE SUPERVISING PHYSICIAN OF THE FINAL APPROVAL OR
19 DISAPPROVAL OF THE APPLICATION. IF APPROVED, A FINAL APPROVAL
20 OF THE WRITTEN AGREEMENT SHALL BE ISSUED TO THE SUPERVISING
21 PHYSICIAN. IF THERE ARE DISCREPANCIES THAT HAVE NOT BEEN
22 CORRECTED WITHIN THE 120-DAY PERIOD, THE TEMPORARY
23 AUTHORIZATION TO PRACTICE SHALL EXPIRE.]

24 (6) BECOMES EFFECTIVE UPON SUBMISSION BY THE PRIMARY
25 SUPERVISING PHYSICIAN, THE PHYSICIAN ASSISTANT OR A DELEGATE
26 OF THE PRIMARY SUPERVISING PHYSICIAN AND THE PHYSICIAN
27 ASSISTANT TO THE BOARD. THE BOARD MAY DEVELOP AUDIT
28 PROCEDURES TO ENSURE SUPERVISION AND SCOPE OF PRACTICE
29 PROTECTIONS ARE MAINTAINED IN ACCORDANCE WITH THIS ACT. THE
30 AUDIT SHALL NOT INCLUDE MORE THAN 10% OF ALL WRITTEN

1 AGREEMENTS ON AN ANNUAL BASIS. A WRITTEN AGREEMENT SUBJECT TO
2 AN AUDIT SHALL REMAIN IN EFFECT FOR TWO WEEKS AFTER THE BOARD
3 NOTIFIES THE PRIMARY SUPERVISING PHYSICIAN AND THE PHYSICIAN
4 ASSISTANT WITH REMEDIES, IF NECESSARY, ON THE OUTCOME OF THE
5 AUDIT. THE PRIMARY SUPERVISING PHYSICIAN, PHYSICIAN ASSISTANT
6 OR DELEGATE TO THE PRIMARY SUPERVISING PHYSICIAN AND
7 PHYSICIAN ASSISTANT MUST SUBMIT A NEW WRITTEN AGREEMENT WHICH
8 SHALL BE EFFECTIVE UPON SUBMISSION TO THE BOARD.

9 A PHYSICIAN ASSISTANT SHALL NOT ASSIST A PHYSICIAN IN A MANNER
10 NOT DESCRIBED IN THE AGREEMENT OR WITHOUT THE NATURE AND DEGREE
11 OF SUPERVISION [AND DIRECTION] DESCRIBED IN THE AGREEMENT. THERE
12 SHALL BE NO MORE THAN [FOUR] SIX PHYSICIAN ASSISTANTS FOR WHOM A
13 PHYSICIAN HAS RESPONSIBILITY OR SUPERVISES PURSUANT TO A WRITTEN
14 AGREEMENT AT ANY TIME. IN HEALTH CARE FACILITIES LICENSED UNDER
15 THE ACT OF JULY 19, 1979 (P.L.130, NO.48), KNOWN AS THE HEALTH
16 CARE FACILITIES ACT, A PHYSICIAN ASSISTANT SHALL BE UNDER THE
17 SUPERVISION [AND DIRECTION] OF A PHYSICIAN OR PHYSICIAN GROUP
18 PURSUANT TO A WRITTEN AGREEMENT, PROVIDED THAT A PHYSICIAN
19 SUPERVISES NO MORE THAN [FOUR] SEVEN PHYSICIAN ASSISTANTS AT ANY
20 TIME. A PHYSICIAN MAY APPLY FOR A WAIVER TO EMPLOY OR SUPERVISE
21 MORE [THAN FOUR] PHYSICIAN ASSISTANTS AT ANY TIME UNDER THIS
22 SECTION FOR GOOD CAUSE, AS DETERMINED BY THE BOARD.

23 * * *

24 (G) SUPERVISION.--A PHYSICIAN ASSISTANT MAY BE EMPLOYED BY A
25 HEALTH CARE FACILITY LICENSED UNDER THE HEALTH CARE FACILITIES
26 ACT UNDER THE SUPERVISION [AND DIRECTION] OF AN APPROVED
27 PHYSICIAN OR GROUP OF SUCH PHYSICIANS, PROVIDED ONE OF THOSE
28 PHYSICIANS IS DESIGNATED AS HAVING THE PRIMARY RESPONSIBILITY
29 FOR SUPERVISING [AND DIRECTING] THE PHYSICIAN ASSISTANT. IN
30 HEALTH CARE FACILITIES LICENSED UNDER THE HEALTH CARE FACILITIES

1 ACT, THE ATTENDING PHYSICIAN OF RECORD FOR A PARTICULAR PATIENT
2 SHALL ACT AS THE PRIMARY SUPERVISING PHYSICIAN FOR THE PHYSICIAN
3 ASSISTANT WHILE THAT PATIENT IS UNDER THE CARE OF THE ATTENDING
4 PHYSICIAN.

5 * * *

6 Section ~~3~~ 4. The State Board of Medicine shall promulgate <--
7 rules and regulations necessary to carry out this act within 180
8 days of the effective date of this section.

9 SECTION 5. ANY AND ALL REGULATIONS AT 49 PA. CODE §§ <--
10 18.142(5), 18.153(C), 18.158(B)(4) AND 18.161(B) AND OTHER
11 PROVISIONS OF 49 PA. CODE CH. 18 ARE ABROGATED TO THE EXTENT OF
12 ANY INCONSISTENCY WITH THIS ACT.

13 Section ~~4~~ 6. This act shall take effect in 60 days. <--