

AMENDMENTS TO SENATE BILL NO. 871

Sponsor: SENATOR KILLION

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1 Amend Bill, page 1, line 6, by striking out "and" and
2 inserting
3 , for practice of osteopathic medicine and surgery without
4 license prohibited and

5 Amend Bill, page 1, lines 11 through 14, by striking out all
6 of said lines and inserting

7 Section 1. The definitions of "physician assistant" and
8 "primary supervising physician" in section 2 of the act of
9 October 5, 1978 (P.L.1109, No.261), known as the Osteopathic
10 Medical Practice Act, added July 2, 2019 (P.L.415, No.69), are
11 amended to read:

12 Amend Bill, page 2, by inserting between lines 5 and 6

13 "Primary supervising physician." An osteopathic physician
14 [who is registered with the board and] designated in a written
15 agreement with a physician assistant under section [10(g)]
16 10(g.4) as having primary responsibility for [directing and
17 personally] supervising the physician assistant.

18 Amend Bill, page 2, line 7, by striking out all of said line
19 and inserting

20 Section 2. Sections 2.1(a) and 3(b) of the act are amended
21 to read:

22 Amend Bill, page 2, line 16, by inserting a bracket before
23 "six"

24 Amend Bill, page 2, line 16, by inserting after "six"

25] seven

26 Amend Bill, page 2, lines 29 and 30; page 3, line 1; by
27 striking out all of said lines on said pages and inserting
28 Section 3. Practice of osteopathic medicine and surgery without

1 license prohibited.

2 * * *

3 (b) Nothing in this act shall be construed to prohibit
4 services and acts rendered by a qualified physician assistant,
5 technician or other allied medical person if such services and
6 acts are rendered under the supervision, direction or control of
7 a licensed physician. It shall be unlawful for any person to
8 practice as a physician assistant unless licensed and approved
9 by the board. It shall also be unlawful for any physician
10 assistant to render medical care and services except under the
11 supervision [and direction] of the primary supervising physician
12 in accordance with section 10(g.4) and (j.1). A physician
13 assistant may use the title physician assistant or an
14 appropriate abbreviation for that title, such as "P.A.-C."

15 Section 3. Section 10(g), (g.2)(1) introductory paragraph,
16 (j.1), (l) and (m) of the act, amended July 2, 2019 (P.L.415,
17 No.69), are amended and the section is amended by adding
18 subsections to read:

19 Amend Bill, page 3, line 6, by inserting after "The"

20 primary

21 Amend Bill, page 3, line 10, by inserting after "the"

22 primary

23 Amend Bill, page 4, line 28, by inserting after "The"

24 primary

25 Amend Bill, page 4, lines 28 and 29, by striking out "shall
26 determine the number of" and inserting

27 may supervise seven

28 Amend Bill, page 4, line 29, by striking out "supervised"

29 Amend Bill, page 4, line 29, by inserting after "The"

30 primary

31 Amend Bill, page 5, line 2, by inserting after "the" where it
32 occurs the third time

33 primary

34 Amend Bill, page 5, by inserting between lines 4 and 5

35 (g.2) (1) Except as limited by paragraph (2), and in
36 addition to existing authority, a physician assistant shall have
37 authority to do all of the following, provided that the
38 physician assistant is acting within the supervision [and
39 direction] of the primary supervising physician:

2 Amend Bill, page 5, by inserting between lines 9 and 10

3 (1.1) Identifies and is signed by an alternative
4 supervising physician in order to maintain the continuity of
5 care if the primary supervising physician cannot fulfill the
6 responsibilities. If the alternative supervising physician
7 becomes the primary supervising physician, the physician,
8 physician assistant or their designee has 30 days to make the
9 board aware of the change.

10 Amend Bill, page 5, line 12, by inserting after "the" where
11 it occurs the second time

12 primary

13 Amend Bill, page 5, lines 14 through 21, by striking out all
14 of said lines

15 Amend Bill, page 5, by inserting between lines 21 and 22

16 (4) Is filed with the board by the primary supervising
17 physician, the physician assistant or a delegate of the
18 primary supervising physician and physician assistant and a
19 copy maintained by the primary supervising physician at the
20 practice or health care facility and the physician assistant.
21 It shall not be a defense in any administrative or civil
22 action that the physician assistant acted outside the scope
23 of the practice or that the primary supervising physician
24 utilized the physician assistant outside the scope of
25 practice because the primary supervising physician or
26 physician assistant permitted another person to represent to
27 the board that the description had been approved by the
28 primary supervising physician or physician assistant. A
29 written agreement goes into effect once it is filed with the
30 board.

31 Amend Bill, page 5, line 23, by striking out the bracket
32 before "(j.1)"

33 Amend Bill, page 5, line 23, by inserting a bracket before
34 "approved"

35 Amend Bill, page 5, line 23, by inserting after "approved"
36] primary supervising

37 Amend Bill, page 5, line 28, by inserting a bracket before
38 "practice"

Amend Bill, page 5, line 30, by inserting after "(f)."

] employment outlined under the written agreement.

Amend Bill, page 6, line 1, by inserting a bracket before

"12"

Amend Bill, page 6, line 1, by inserting after "12"

] six

Amend Bill, page 6, line 4, by inserting a bracket before

"(iii)"

Amend Bill, page 6, line 21, by striking out all of said line
and inserting

(j.2) The following apply:

(1) The primary supervising physician shall be
responsible for the medical services that a physician
assistant renders.

(2) A physician assistant subject to subsection (j.1)
shall not be eligible to perform a medical service without
the supervision of an approved physician.

(3) The primary supervising physician may require
personal review of a selected number of patient records
completed by the physician assistant in order to maintain the
supervisory role outlined in the written agreement.

* * *

(1) Nothing in this act shall be construed to prohibit the
employment of physician assistants by a health care facility
where such physician assistants function under the supervision
and direction of a primary supervising physician or group of
physicians.

(m) The physician assistant being licensed in this act and
functioning under the supervision of the primary supervising
physician defines his/her status as an employee and subject to
the normal employer/employee reimbursement procedures.

* * *

Amend Bill, page 6, line 22, by inserting after "of"

Osteopathic