
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1999 Session of
2007

INTRODUCED BY SEIP, BENNINGTON, CALTAGIRONE, CASORIO, HARHAI,
JOSEPHS, KULA, MAHONEY, McCALL, MURT, MUSTIO, MYERS,
PETRARCA, SOLOBAY, WALKO, WATERS, YOUNGBLOOD AND HARKINS,
NOVEMBER 19, 2007

REFERRED TO COMMITTEE ON PROFESSIONAL LICENSURE,
NOVEMBER 19, 2007

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 assistants and for respiratory care practitioners.

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

13 Section 1. Section 13 of the act of December 20, 1985
14 (P.L.457, No.112), known as the Medical Practice Act of 1985, is
15 amended by adding subsections 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

1 physician assistant is acting within the supervision and
2 direction of the supervising physician:

3 (1) Order home health and hospice care.

4 (2) Order durable medical equipment.

5 (3) Issue oral orders to the extent permitted by a health
6 care facility's bylaws, rules, regulations or administrative
7 policies and guidelines.

8 (4) Order physical therapy and dietitian referrals.

9 (5) Order respiratory and occupational therapy referrals.

10 (6) Perform disability assessments for the program providing
11 Temporary Assistance to Needy Families (TANF).

12 (7) Issue homebound schooling certifications.

13 (8) Perform and sign the initial assessment of methadone
14 treatment evaluations, provided that any order for methadone
15 treatment shall be made only by a physician.

16 (c.2) Nothing in this section shall be construed to:

17 (1) Supersede the authority of the Department of Health and
18 the Department of Public Welfare to regulate the types of health
19 care professionals who are eligible for medical staff membership
20 or clinical privileges.

21 (2) Restrict the authority of a health care facility to
22 determine the scope of practice and supervision or other
23 oversight requirements for health care professionals practicing
24 within the facility.

25 * * *

26 Section 2. Section 13.1(d) of the act, added July 2, 1993
27 (P.L.424, No.60), is amended to read:

28 Section 13.1. Respiratory care practitioners.

29 * * *

30 (d) Supervision and scope of practice.--A respiratory care

1 practitioner certified by the board may implement direct
2 respiratory care to an individual being treated by either a
3 licensed medical doctor or a licensed doctor of osteopathic
4 medicine, upon [physician] prescription or referral by a
5 physician, certified registered nurse practitioner or physician
6 assistant, or under medical direction and approval consistent
7 with standing orders or protocols of an institution or health
8 care facility. This care may constitute indirect services such
9 as consultation or evaluation of an individual and also
10 includes, but is not limited to, the following services:

- 11 (1) Administration of medical gases.
- 12 (2) Humidity and aerosol therapy.
- 13 (3) Administration of aerosolized medications.
- 14 (4) Intermittent positive pressure breathing.
- 15 (5) Incentive spirometry.
- 16 (6) Bronchopulmonary hygiene.
- 17 (7) Management and maintenance of natural airways.
- 18 (8) Maintenance and insertion of artificial airways.
- 19 (9) Cardiopulmonary rehabilitation.
- 20 (10) Management and maintenance of mechanical
21 ventilation.
- 22 (11) Measurement of ventilatory flows, volumes and
23 pressures.
- 24 (12) Analysis of ventilatory gases and blood gases.

25 * * *

26 Section 3. The State Board of Medicine, the Department of
27 Public Welfare and the Department of Health shall promulgate
28 regulations to implement the addition of section 13(c.1) and
29 (c.2) of the act within 18 months of the effective date of this
30 section.

1 Section 4. The following acts are repealed insofar as they
2 are inconsistent with the addition of section 13(c.1) and (c.2)
3 of the act:

4 (1) Section 9(a) of the act of October 10, 1975
5 (P.L.383, No.110), known as the Physical Therapy Practice
6 Act.

7 (2) Section 14 of the act of June 15, 1982 (P.L.502,
8 No.140), known as the Occupational Therapy Practice Act.

9 Section 5. This act shall take effect in 60 days.