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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 698 Session of  
2019

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INTRODUCED BY GORDNER, MAY 31, 2019

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REFERRED TO CONSUMER PROTECTION AND PROFESSIONAL LICENSURE,  
MAY 31, 2019

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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 physician assistants and for physician assistant license.

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

13 Section 1. Section 2 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 definitions to read:

16 Section 2. Definitions.

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

20 \* \* \*

21 "Primary supervising physician." A medical doctor who is  
22 registered with the board and designated in a written agreement

1 with a physician assistant under section 13(e) as having primary  
2 responsibility for directing and personally supervising the  
3 physician assistant.

4 \* \* \*

5 "Substitute supervising physician." A physician who is  
6 registered with the board and designated in a written agreement  
7 with a physician assistant under section 13(e) as assuming  
8 primary responsibility for the supervision of a physician  
9 assistant for no more than 30 consecutive calendar days when the  
10 primary supervising physician is unavailable to provide the  
11 level of supervision and record review which was described in  
12 the written agreement and approved by the board.

13 \* \* \*

14 Section 2. Sections 13(e) (1) and (2) and 36(e) of the act  
15 are amended to read:

16 Section 13. Physician assistants.

17 \* \* \*

18 (e) Written agreement.--A physician assistant shall not  
19 provide a medical service without a written agreement with [one  
20 or more physicians] a primary supervising physician which  
21 provides for all of the following:

22 (1) Identifies and is signed by [each physician] the  
23 primary supervising physician, one substitute supervising  
24 physician, if applicable, and the physician assistant [will  
25 be assisting].

26 (2) Describes the manner in which the physician  
27 assistant will be assisting each named physician. The written  
28 agreement and description may be prepared and submitted by  
29 the primary supervising physician, the physician assistant or  
30 a delegate of the primary supervising physician and the

1 physician assistant, provided, however, that both the primary  
2 supervising physician and physician assistant shall  
3 personally review, approve and accept the description prior  
4 to submission of the description to the board for the board's  
5 approval. The written agreement shall be signed by the  
6 primary supervising physician, one substitute supervising  
7 physician, if applicable, and the physician assistant. It  
8 shall not be a defense in any administrative or civil action  
9 that the physician assistant acted outside the scope of the  
10 board-approved description or that the supervising physician  
11 utilized the physician assistant outside the scope of the  
12 board-approved description because the supervising physician  
13 or physician assistant permitted another person to represent  
14 to the board that the description had been approved by the  
15 supervising physician or physician assistant.

16 \* \* \*

17 Section 36. Physician assistant license.

18 \* \* \*

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

25 \* \* \*

26 Section 3. This act shall take effect in 30 days.