

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 698 Session of
2019

INTRODUCED BY GORDNER, FARNESE, SCHWANK, MENSCH, J. WARD AND
K. WARD, MAY 31, 2019

AS REPORTED FROM COMMITTEE ON PROFESSIONAL LICENSURE, HOUSE OF
REPRESENTATIVES, AS AMENDED, JUNE 19, 2019

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~~ A DEFINITION 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

1 registered with the board and designated in a written agreement
2 with a physician assistant under section 13(e) as having primary
3 responsibility for directing and personally supervising the
4 physician assistant.

5 * * *

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

14 * * *

15 Section 2. Sections ~~13(e)(1) and (2)~~ 13(E)(2) and 36(e) of <--
16 the act are amended to read:

17 Section 13. Physician assistants.

18 * * *

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

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

27 * * * <--

28 (2) Describes the manner in which the physician
29 assistant will be assisting each named physician. The written
30 agreement and description may be prepared and submitted by

<--

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

18 * * *

19 Section 36. Physician assistant license.

20 * * *

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

27 * * *

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