

FIRST REGULAR SESSION

# HOUSE BILL NO. 484

## 92ND GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES HOLAND, SHOEMYER (9), WHORTON,  
PORTWOOD (Co-sponsors) AND JOHNSON (90).

Read 1<sup>st</sup> time February 17, 2003, and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

1377L.011

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### AN ACT

To repeal section 334.735, RSMo, and to enact in lieu thereof one new section relating to physician assistants.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Section 334.735, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 334.735, to read as follows:

334.735. 1. As used in sections 334.735 to 334.749, the following terms mean:

(1) "Applicant", any individual who seeks to become licensed as a physician assistant;

(2) "Certification" or "registration", a process by a certifying entity that grants recognition to applicants meeting predetermined qualifications specified by such certifying entity;

(3) "Certifying entity", the nongovernmental agency or association which certifies or registers individuals who have completed academic and training requirements;

(4) "Department", the department of economic development or a designated agency thereof;

(5) "License", a document issued to an applicant by the department acknowledging that the applicant is entitled to practice as a physician assistant;

(6) "Physician assistant", a person who has graduated from a physician assistant program accredited by the American Medical Association's Committee on Allied Health Education and Accreditation or by its successor agency, who has passed the certifying examination administered by the National Commission on Certification of Physician Assistants and has active certification

**EXPLANATION — Matter enclosed in bold faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law. Matter in boldface type in the above law is new proposed language.**

16 by the National Commission on Certification of Physician Assistants who provides health care  
17 services delegated by a licensed physician. A person who has been employed as a physician  
18 assistant for three years prior to August 28, 1989, who has passed the National Commission on  
19 Certification of Physician Assistants examination, and has active certification of the National  
20 Commission on Certification of Physician Assistants;

21 (7) "Recognition", the formal process of becoming a certifying entity as required by the  
22 provisions of sections 334.735 to 334.749;

23 (8) "Supervision", [control exercised over a physician assistant working within the same  
24 office facility of the supervising physician except a physician assistant may make follow-up  
25 patient examinations in hospitals, nursing homes and correctional facilities, each such  
26 examination being reviewed, approved and signed by the supervising physician] **overseeing the  
27 activities of, and accepting responsibility for, the medical services rendered by a physician  
28 assistant. The supervising physician shall at all times be immediately available to the  
29 physician assistant for consultation, assistance or intervention either personally or via  
30 telecommunications. A supervising physician shall be personally present for practice  
31 supervision and collaboration a minimum of twenty percent of clinic hours in any clinic  
32 location utilizing physicians assistants. The physician assistant shall be limited to practice  
33 at locations where the supervising physician is no further than thirty miles by road using  
34 the most direct route available, or in any other fashion so distanced as to create an  
35 impediment to effective intervention and supervision of patient care or adequate review  
36 of services; except that, physician assistants practicing in federally designated health  
37 professional shortage areas (HPSA) shall be limited to practice at locations where the  
38 supervising physician is no further than fifty miles by road, using the most direct route  
39 available.** The board shall promulgate rules pursuant to chapter 536, RSMo, for the [proximity  
40 of practice between the physician assistant and the supervising physician and] documentation of  
41 joint review of the physician assistant activity by the supervising physician and the physician  
42 assistant.

43 2. The scope of practice of a physician assistant shall consist only of the following  
44 services and procedures:

45 (1) Taking patient histories;

46 (2) Performing physical examinations of a patient;

47 (3) Performing or assisting in the performance of routine office laboratory and patient  
48 screening procedures;

49 (4) Performing routine therapeutic procedures;

50 (5) Recording diagnostic impressions and evaluating situations calling for attention of  
51 a physician to institute treatment procedures;

52 (6) Instructing and counseling patients regarding mental and physical health using  
53 procedures reviewed and approved by a licensed physician;

54 (7) Assisting the supervising physician in institutional settings, including reviewing of  
55 treatment plans, ordering of tests and diagnostic laboratory and radiological services, and  
56 ordering of therapies, using procedures reviewed and approved by a licensed physician;

57 (8) Assisting in surgery;

58 (9) Performing such other tasks not prohibited by law under the supervision of a licensed  
59 physician as the [physician's] **physician** assistant has been trained and is proficient to perform;

60 (10) Physician assistants shall not perform abortions.

61 3. Physician assistants shall not prescribe nor dispense any drug, medicine, device or  
62 therapy independent of consultation with the supervising physician, nor prescribe lenses, prisms  
63 or contact lenses for the aid, relief or correction of vision or the measurement of visual power  
64 or visual efficiency of the human eye, nor administer or monitor general or regional block  
65 anesthesia during diagnostic tests, surgery or obstetric procedures. Prescribing and dispensing  
66 of drugs, medications, devices or therapies by a physician assistant shall be pursuant to a  
67 physician assistant supervision agreement which is specific to the clinical conditions treated by  
68 the supervising physician and the physician assistant shall be subject to the following:

69 (1) A physician assistant shall not prescribe controlled substances;

70 (2) The types of drugs, medications, devices or therapies prescribed or dispensed by a  
71 physician assistant shall be consistent with the scopes of practice of the physician assistant and  
72 the supervising physician;

73 (3) All prescriptions shall conform with state and federal laws and regulations and shall  
74 include the name, address and telephone number of the physician assistant and the supervising  
75 physician;

76 (4) A physician assistant or advanced practice nurse as defined in section 335.016,  
77 RSMo, may request, receive and sign for noncontrolled professional samples and may distribute  
78 professional samples to patients;

79 (5) A physician assistant shall not prescribe any drugs, medicines, devices or therapies  
80 the supervising physician is not qualified or authorized to prescribe; and

81 (6) A physician assistant may only dispense starter doses of medication to cover a period  
82 of time for seventy-two hours or less.

83 4. A physician assistant shall clearly identify himself or herself as a physician assistant  
84 and shall not use or permit to be used in the physician assistant's behalf the terms "doctor", "Dr."  
85 or "doc" nor hold himself or herself out in any way to be a physician or surgeon. No physician  
86 assistant shall practice or attempt to practice without physician supervision or in any location  
87 where the supervising physician is not immediately available for consultation, assistance and

88 intervention, except in an emergency situation, nor shall any physician assistant bill a patient  
89 independently or directly for any services or procedure by the physician assistant.

90 5. The physician assistant shall be a person who is a graduate of a physician assistant  
91 program accredited by the American Medical Association's Committee on Allied Health  
92 Education and Accreditation or its successor or is certified by a national nongovernmental  
93 agency or association, who has passed the National Commission on Certification of Physician  
94 Assistants examination and has active certification by the National Commission on Certification  
95 of Physician Assistants or its successor. A person who has been employed as a physician  
96 assistant for three years prior to August 28, 1989, and has passed the National Commission on  
97 Certification of Physician Assistants examination shall be deemed to have met the academic  
98 requirements necessary for licensing. **All applicants for physician assistant licensure who**  
99 **complete their physician assistant training program after January 1, 2006, must have a**  
100 **master's degree in a health or medical science related field.**

101 6. For purposes of this section, the licensing of physician assistants shall take place  
102 within processes established by the state board of registration for the healing arts through rule  
103 and regulation. The board of healing arts is authorized to establish rules pursuant to chapter 536,  
104 RSMo, establishing licensing and renewal procedures, supervision, supervision agreements, fees,  
105 and addressing such other matters as are necessary to protect the public and discipline the  
106 profession. An application for licensing may be denied or the license of a physician assistant  
107 may be suspended or revoked by the board in the same manner and for violation of the standards  
108 as set forth by section 334.100, or such other standards of conduct set by the board by rule or  
109 regulation. Persons licensed pursuant to the provisions of chapter 335, RSMo, shall not be  
110 required to be licensed as physician assistants.

111 7. "Physician assistant supervision agreement" means a written agreement, jointly agreed  
112 upon protocols or standing order between a supervising physician and a physician assistant,  
113 which provides for the delegation of health care services from a supervising physician to a  
114 physician assistant and the review of such services.

115 8. When a physician assistant supervision agreement is utilized to provide health care  
116 services for conditions other than acute self-limited or well-defined problems, the supervising  
117 physician or other physician designated in the supervision agreement, shall see the patient for  
118 evaluation and approve or formulate the plan of treatment for new or significantly changed  
119 conditions as soon as practical, but in no case more than two weeks after the patient has been  
120 seen by the physician assistant.

121 9. At all times the physician is responsible for the oversight of the activities of, and  
122 accepts responsibility for, health care services rendered by the physician assistant.

123 **10. No physician may be designated to serve as supervising physician for more than**

124 **three full-time equivalent licensed physician assistants. This information shall not apply**  
125 **to physician assistant agreements of hospital employees providing in-patient care services**  
126 **in hospitals as defined in chapter 197, RSMo.**

127 **11. It is the responsibility of the supervising physician to determine and document**  
128 **the completion of at least one month period of time during which the licensed physician**  
129 **assistant shall practice with a supervising physician continuously present before practicing**  
130 **in a setting where a supervising physician is not continuously present.**