

SENATE BILL NO. 116—SENATOR HARDY

PREFILED FEBRUARY 1, 2015

Referred to Committee on Commerce, Labor and Energy

SUMMARY—Revises provisions governing physician assistants.
(BDR 54-260)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to physician assistants; requiring a supervising physician or supervising osteopathic physician to perform certain duties concerning the supervision of a physician assistant; requiring a physician assistant who has more than one supervising physician or supervising osteopathic physician to record certain information in the medical record of each patient; requiring a physician or osteopathic physician to meet certain qualifications in order to supervise a physician assistant; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law authorizes a physician assistant to perform such medical services as the physician assistant is authorized to perform by his or her supervising physician or supervising osteopathic physician. (NRS 630.271, 633.432) **Sections 2 and 5** of this bill require a supervising physician or supervising osteopathic physician to ensure that his or her physician assistant is clearly identified to patients and performs only medical services approved by the supervising physician or supervising osteopathic physician. **Sections 2 and 5** also require a supervising physician or supervising osteopathic physician to review and initial at least 5 percent of the medical records of the patients of the physician assistant at least once each calendar quarter or at a greater frequency prescribed by the Board of Medical Examiners or the State Board of Osteopathic Medicine. **Sections 2 and 5** further require a supervising physician or supervising osteopathic physician to develop and carry out a program to ensure the quality of care provided by the physician assistant. Finally, **sections 2 and 5** require a physician assistant who has more than one supervising physician or supervising osteopathic physician to record the name of the supervising physician or supervising osteopathic physician for each patient to whom the physician renders medical services in the medical record of the patient.



Sections 3 and 4 of this bill authorize a physician or osteopathic physician to supervise a physician assistant if the physician or osteopathic physician: (1) holds an active license in good standing to practice medicine or osteopathic medicine issued by the Board of Medical Examiners or the State Board of Osteopathic Medicine; (2) actually practices medicine or osteopathic medicine in this State; and (3) has not been specifically prohibited by the Board of Medical Examiners or the State Board of Osteopathic Medicine from supervising a physician assistant.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Chapter 630 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 and 3 of this act.

Sec. 2. 1. *A supervising physician is responsible for all of the medical services performed by his or her physician assistant and shall ensure that the physician assistant:*

(a) Is clearly identified to the patients of the physician assistant as a physician assistant; and

(b) Performs only those medical services that have been approved by the supervising physician.

2. *At least once each calendar quarter or more often if required by regulations adopted by the Board pursuant to subsection 5, a supervising physician shall review and initial not less than 5 percent of the medical records of the patients of his or her physician assistant in which the supervising physician is the physician of record.*

3. *A supervising physician shall develop and carry out a program to ensure the quality of care provided by his or her physician assistant. The program must include, without limitation:*

(a) The manner in and frequency with which the physician assistant must notify the supervising physician of any medical services that the physician assistant provided to a patient for whom the supervising physician is the physician of record, which must be at least once each calendar quarter or more often if required by regulations adopted by the Board pursuant to subsection 5; and

(b) Any other requirements specified in those regulations.

4. *A physician assistant who has more than one supervisory agreement shall record in the medical record of the patient the name of the supervising physician for each patient to whom the physician assistant renders medical services.*

5. *The Board may adopt regulations setting forth:*

(a) The frequency with which a supervising physician must review and initial any medical records pursuant to subsection 2;



(b) *The frequency with which a physician assistant must notify the supervising physician of any medical services that the physician assistant provided pursuant to subsection 3; and*

(c) *Any additional requirements for a program to ensure the quality of care provided by a physician assistant developed pursuant to subsection 3.*

Sec. 3. *A physician may supervise a physician assistant if the physician:*

1. *Holds an active license in good standing to practice medicine issued by the Board;*

2. *Actually practices medicine in this State; and*

3. *Has not been specifically prohibited by the Board from acting as a supervising physician.*

Sec. 4. Chapter 633 of NRS is hereby amended by adding thereto a new section to read as follows:

An osteopathic physician may supervise a physician assistant if the osteopathic physician:

1. *Holds an active license in good standing to practice osteopathic medicine issued by the Board;*

2. *Actually practices osteopathic medicine in this State; and*

3. *Has not been specifically prohibited by the Board from acting as a supervising osteopathic physician.*

Sec. 5. NRS 633.469 is hereby amended to read as follows:

633.469 1. A supervising osteopathic physician shall provide supervision to his or her physician assistant continuously whenever the physician assistant is performing his or her professional duties.

2. Except as otherwise provided in subsection 3, a supervising osteopathic physician may provide supervision to his or her physician assistant in person, electronically, telephonically or by fiber optics. When providing supervision electronically, telephonically or by fiber optics, a supervising osteopathic physician may be at a different site than the physician assistant, including a site located within or outside this State or the United States.

3. A supervising osteopathic physician shall provide supervision to his or her physician assistant in person at all times during the first 30 days that the supervising osteopathic physician supervises the physician assistant. The provisions of this subsection do not apply to a federally qualified health center.

4. Before beginning to supervise a physician assistant, a supervising osteopathic physician must communicate to the physician assistant:

(a) The scope of practice of the physician assistant;

(b) The access to the supervising osteopathic physician that the physician assistant will have; and



(c) Any processes for evaluation that the supervising osteopathic physician will use to evaluate the physician assistant.

5. A supervising osteopathic physician shall not delegate to his or her physician assistant, and the physician assistant shall not accept, a task that is beyond the physician assistant's capability to complete safely.

6. *A supervising osteopathic physician is responsible for all of the medical services performed by his or her physician assistant and shall ensure that the physician assistant:*

(a) Is clearly identified to the patients of the physician assistant as a physician assistant; and

(b) Performs only those medical services that have been approved by the supervising osteopathic physician.

7. *At least once each calendar quarter or more often if required by regulations adopted by the Board pursuant to subsection 10, a supervising osteopathic physician shall review and initial not less than 5 percent of the medical records of the patients of his or her physician assistant in which the supervising osteopathic physician is the physician of record.*

8. *A supervising osteopathic physician shall develop and carry out a program to ensure the quality of care provided by his or her physician assistant. The program must include, without limitation:*

(a) The manner in and frequency with which the physician assistant must notify the supervising osteopathic physician of any medical services that the physician assistant provided to a patient for whom the supervising osteopathic physician is the physician of record, which must be at least once each calendar quarter or more often if required by regulations adopted by the Board pursuant to subsection 10; and

(b) Any other requirements specified in those regulations.

9. *A physician assistant who has more than one supervisory agreement shall record in the medical record of the patient the name of the supervising osteopathic physician for each patient to whom the physician assistant renders medical services.*

10. *The Board may adopt regulations setting forth:*

(a) The frequency with which a supervising osteopathic physician must review and initial any medical records pursuant to subsection 7;

(b) The frequency with which a physician assistant must notify the supervising osteopathic physician of any medical services that the physician assistant provided pursuant to subsection 8; and

(c) Any additional requirements for a program to ensure the quality of care provided by a physician assistant developed pursuant to subsection 8.



- 1 **11.** As used in this section, “federally qualified health center”
2 has the meaning ascribed to it in 42 U.S.C. § 1396d(l)(2)(B).
3 **Sec. 6.** This act becomes effective on July 1, 2015.

