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# State of Minnesota HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. **2652**

03/03/2014 Authored by Huntley, Zerwas, Morgan, Abeler and Schoen

The bill was read for the first time and referred to the Committee on Health and Human Services Policy

1.1 A bill for an act  
1.2 relating to health care; modifying provisions related to physician assistants;  
1.3 amending Minnesota Statutes 2012, sections 147A.01, subdivisions 17a, 23;  
1.4 147A.20, subdivision 1; 256B.0625, subdivision 28a; repealing Minnesota  
1.5 Statutes 2012, sections 147A.01, subdivision 5; 147A.20, subdivision 2.  
1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7 Section 1. Minnesota Statutes 2012, section 147A.01, subdivision 17a, is amended to  
1.8 read:

1.9 Subd. 17a. **Physician-physician assistant delegation agreement.**

1.10 "Physician-physician assistant delegation agreement" means the document prepared and  
1.11 signed by the physician and physician assistant affirming the supervisory relationship and  
1.12 defining the physician assistant scope of practice. ~~Alternate supervising physicians must be~~  
1.13 ~~identified on the delegation agreement or a supplemental listing with signed attestation that~~  
1.14 ~~each shall accept full medical responsibility for the performance, practice, and activities of~~  
1.15 ~~the physician assistant while under the supervision of the alternate supervising physician.~~

1.16 The physician-physician assistant delegation agreement outlines the role of the physician  
1.17 assistant in the practice, describes the means of supervision, and specifies the categories of  
1.18 drugs, controlled substances, and medical devices that the supervising physician delegates  
1.19 to the physician assistant to prescribe. The physician-physician assistant delegation  
1.20 agreement must comply with the requirements of section 147A.20, be kept on file at the  
1.21 address of record, and be made available to the board or its representative upon request.

1.22 Sec. 2. Minnesota Statutes 2012, section 147A.01, subdivision 23, is amended to read:

1.23 Subd. 23. **Supervising physician.** "Supervising physician" means a Minnesota  
1.24 licensed physician who accepts full medical responsibility for the performance, practice,

and activities of a physician assistant under an agreement as described in section 147A.20. The supervising physician who completes and signs the delegation agreement may be referred to as the primary supervising physician. A supervising physician shall not supervise more than five full-time equivalent physician assistants simultaneously. With the approval of the board, or in a disaster or emergency situation pursuant to section 147A.23, a supervising physician may supervise more than five full-time equivalent physician assistants simultaneously.

Sec. 3. Minnesota Statutes 2012, section 147A.20, subdivision 1, is amended to read:

Subdivision 1. **Physician-physician assistant delegation agreement.** (a) A physician assistant and supervising physician must sign a physician-physician assistant delegation agreement which specifies scope of practice and manner of supervision as required by the board. The agreement must contain:

- (1) a description of the practice setting;
- (2) a listing of categories of delegated duties;
- (3) a description of supervision type; and
- (4) a description of the process and schedule for review of prescribing, dispensing, and administering legend and controlled drugs and medical devices by the physician assistant authorized to prescribe.

(b) The agreement must be maintained by the supervising physician and physician assistant and made available to the board upon request. If there is a delegation of prescribing, administering, and dispensing of legend drugs, controlled substances, and medical devices, the agreement shall include a description of the prescriptive authority delegated to the physician assistant. Physician assistants shall have a separate agreement for each place of employment. Agreements must be reviewed and updated on an annual basis. The supervising physician and physician assistant must maintain the physician-physician assistant delegation agreement at the address of record.

(c) Physician assistants must provide written notification to the board within 30 days of the following:

- (1) name change;
- (2) address of record change; and
- (3) telephone number of record change.

~~(d) Any alternate supervising physicians must be identified in the physician-physician assistant delegation agreement, or a supplemental listing, and must sign the agreement attesting that they shall provide the physician assistant with supervision in compliance with this chapter, the delegation agreement, and board rules.~~

3.1 Sec. 4. Minnesota Statutes 2012, section 256B.0625, subdivision 28a, is amended to  
3.2 read:

3.3 Subd. 28a. **Licensed physician assistant services.** (a) Medical assistance covers  
3.4 services performed by a licensed physician assistant if the service is otherwise covered  
3.5 under this chapter as a physician service and if the service is within the scope of practice  
3.6 of a licensed physician assistant as defined in section 147A.09.

3.7 (b) Licensed physician assistants, who are supervised by a physician certified by  
3.8 the American Board of Psychiatry and Neurology or eligible for board certification in  
3.9 psychiatry, may bill for medication management and evaluation and management services  
3.10 provided to medical assistance enrollees ~~in inpatient hospital settings~~, consistent with  
3.11 their authorized scope of practice, as defined in section 147A.09, with the exception of  
3.12 performing psychotherapy or diagnostic assessments or providing clinical supervision.

3.13 Sec. 5. **REVISOR'S INSTRUCTION.**

3.14 The revisor of statutes shall change the term "physician's assistant" to "physician  
3.15 assistant" wherever that term is found in Minnesota Statutes and Minnesota Rules.

3.16 Sec. 6. **REPEALER.**

3.17 Minnesota Statutes 2012, sections 147A.01, subdivision 5; and 147A.20, subdivision  
3.18 2, are repealed.

APPENDIX  
Repealed Minnesota Statutes: 14-4232

**147A.01 DEFINITIONS.**

Subd. 5. **Alternate supervising physician.** "Alternate supervising physician" means a Minnesota licensed physician listed in the physician-physician assistant delegation agreement, or supplemental listing, who is responsible for supervising the physician assistant when the primary supervising physician is unavailable. The alternate supervising physician shall accept full medical responsibility for the performance, practice, and activities of the physician assistant while under the supervision of the alternate supervising physician.

**147A.20 PHYSICIAN-PHYSICIAN ASSISTANT AGREEMENT DOCUMENTS.**

Subd. 2. **Notification of intent to practice.** A licensed physician assistant shall submit a notification of intent to practice to the board prior to beginning practice. The notification shall include the name, business address, and telephone number of the supervising physician and the physician assistant. Individuals who practice without submitting a notification of intent to practice shall be subject to disciplinary action under section 147A.13 for practicing without a license, unless the care is provided in response to a disaster or emergency situation pursuant to section 147A.23.