

HSB 203

HUMAN RESOURCES

Succeeded by
SF (HF) 688

HOUSE FILE
BY (PROPOSED COMMITTEE ON HUMAN
RESOURCES BILL BY
CHAIRPERSON BODDICKER)

*Tymeson
Larrey
Attcherrey*

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to licensure requirements for physician
2 assistants and providing an effective date.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section. 1. Section 147.74, subsection 16, Code 2001, is
2 amended to read as follows:

3 16. A physician assistant ~~registered-or~~ licensed under
4 chapter 148C may use the words "physician assistant" after the
5 person's name or signify the same by the use of the letters
6 "P. A." after the person's name.

7 Sec. 2. Section 147.80, subsection 5, Code 2001, is
8 amended to read as follows:

9 5. Application for a license to practice as a physician
10 assistant, issuance of a license to practice as a physician
11 assistant issued upon the basis of an examination given or
12 approved by the board of physician assistant examiners,
13 issuance of a license to practice as a physician assistant
14 issued under a reciprocal agreement, renewal of a license to
15 practice as a physician assistant, temporary license to
16 practice as a physician assistant, ~~registration-of-a-physician~~
17 ~~assistant, temporary-registration-of-a-physician-assistant,~~
18 ~~renewal-of-a-registration-of-a-physician-assistant.~~

19 Sec. 3. Section 147.107, subsection 5, Code 2001, is
20 amended to read as follows:

21 5. Notwithstanding subsection 1 and any other provision of
22 this section to the contrary, a physician may delegate the
23 function of prescribing drugs, controlled substances, and
24 medical devices to a physician assistant licensed pursuant to
25 chapter 148C. When delegated prescribing occurs, the
26 supervising physician's name shall be used, recorded, or
27 otherwise indicated in connection with each individual
28 prescription so that the individual who dispenses or
29 administers the prescription knows under whose delegated
30 authority the physician assistant is prescribing. Rules
31 relating to the authority of physician assistants to prescribe
32 drugs, controlled substances, and medical devices pursuant to
33 this subsection shall be adopted by the board of physician
34 assistant examiners, after consultation with the board of
35 medical examiners and the board of pharmacy examiners, as soon

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1 as possible after July 1, 1991. The rules shall be reviewed
 2 and approved by the physician assistant rules review group
 3 created under subsection 7 and shall be adopted in final form
 4 by January 1, 1993. However, the rules shall prohibit the
 5 prescribing of schedule II controlled substances which are
 6 listed as stimulants or depressants pursuant to chapter 124.
 7 If rules are not reviewed and approved by the physician
 8 assistant rules review group created under subsection 7 and
 9 adopted in final form by January 1, 1993, a physician
 10 assistant may prescribe drugs as a delegated act of a
 11 supervising physician under rules adopted by the board of
 12 physician assistant examiners ~~and subject to the rules review~~
 13 ~~process established in section 148E-7.~~ The board of physician
 14 assistant examiners shall be the only board to regulate the
 15 practice of physician assistants relating to prescribing and
 16 supplying prescription drugs, controlled substances and
 17 medical devices, ~~notwithstanding section 148E-6A.~~

18 Sec. 4. Section 148.13, subsections 1 and 4, Code 2001,
 19 are amended by striking the subsections.

20 Sec. 5. Section 148C.1, Code 2001, is amended by striking
 21 the section and inserting in lieu thereof the following:

22 148C.1 DEFINITIONS.

23 1. "Approved program" means a program for the education of
 24 physician assistants which has been accredited by the American
 25 medical association's committee on allied health education and
 26 accreditation, by its successor, the commission on
 27 accreditation of allied health educational programs, or by its
 28 successor, the accreditation review commission on education
 29 for the physician assistant, or its successor.

30 2. "Board" means the board of physician assistant
 31 examiners.

32 3. "Licensed physician assistant" means a person who is
 33 licensed as a physician assistant by the board to practice
 34 medicine with the supervision of one or more physicians.

35 4. "Physician" means a person who is currently licensed in

1 Iowa to practice medicine and surgery, osteopathic medicine
2 and surgery, or osteopathy, and who is actively engaged in the
3 practice of medicine and surgery, osteopathic medicine and
4 surgery, or osteopathy.

5 Sec. 6. Section 148C.3, Code 2001, is amended by striking
6 the section and inserting in lieu thereof the following:

7 148C.3 LICENSURE.

8 1. The board shall adopt rules to govern the licensure of
9 physician assistants. An applicant for licensure shall submit
10 the fee prescribed by the board and shall meet the
11 requirements established by the board with respect to each of
12 the following:

13 a. Academic qualifications, including evidence of
14 graduation from an approved program. A physician assistant
15 who is not a graduate of an approved program, but who passed
16 the national commission on certification of physician
17 assistants' physician assistant national certifying
18 examination prior to 1986, is exempt from this graduation
19 requirement.

20 b. Evidence of passing the national commission on the
21 certification of physician assistants' physician assistant
22 national certifying examination or its successor examination.

23 c. Hours of continuing medical education necessary to
24 become or remain licensed.

25 2. Rules shall be adopted by the board pursuant to this
26 chapter permitting licensed physicians to supervise licensed
27 physician assistants, in consultation with the board of
28 medical examiners.

29 3. A licensed physician assistant shall perform only those
30 services for which the licensed physician assistant is
31 qualified by training.

32 4. The board may issue a temporary license under special
33 circumstances and upon conditions prescribed by the board. A
34 temporary license shall not be valid for more than one year
35 and shall not be renewed more than once.

1 5. The board may issue an inactive license under
2 conditions prescribed by rules adopted by the board.

3 Sec. 7. Section 148C.4, Code 2001, is amended to read as
4 follows:

5 148C.4 SERVICES PERFORMED BY PHYSICIAN ASSISTANTS.

6 A physician assistant may perform medical services when the
7 services are rendered under the supervision of the a licensed
8 ~~physician or physicians specified in the physician assistant~~
9 ~~license approved by the board.~~ A trainee physician assistant
10 student may perform medical services when the services are
11 rendered within the scope of an approved program.

12 Sec. 8. Section 148C.11, Code 2001, is amended to read as
13 follows:

14 148C.11 PROHIBITION -- CRIME.

15 A person not ~~registered and~~ licensed as required by this
16 chapter who practices as a physician assistant ~~without having~~
17 ~~obtained the appropriate approval under this chapter,~~ is
18 guilty of a serious misdemeanor.

19 Sec. 9. PHYSICIAN ASSISTANTS -- RULES. The board shall
20 adopt new rules pursuant to chapter 17A to administer chapter
21 148C no later than January 1, 2002. The rules shall be
22 designed to encourage the utilization of physician assistants
23 in a manner that is consistent with the provision of quality
24 health care and medical services for the citizens of Iowa
25 through better utilization of available physicians and the
26 development of sound programs for the education and training
27 of skilled physician assistants well qualified to assist
28 physicians in providing health care and medical services.

29 Sec. 10. Sections 148C.2, 148C.5A, 148C.6A, and 148C.7,
30 Code 2001, are repealed.

31 Sec. 11. EFFECTIVE DATE. This Act, being deemed of
32 immediate importance, takes effect upon enactment.

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EXPLANATION

34 This bill modifies licensure requirements for physician
35 assistants.

1 The bill eliminates provisions relating to registration as
2 a physician assistant, and also eliminates the physician
3 assistant rules review group established in Code section
4 148C.7, which functions to review and either approve or
5 disapprove proposed rules by the board of physician assistant
6 examiners. The bill further eliminates provisions regarding
7 the adoption of rules by December 31, 1988, relating to the
8 eligibility of a physician to serve as a supervising
9 physician, and regarding appeals to the board of medical
10 examiners of decisions of the board of physician assistant
11 examiners in a contested case involving discipline of a
12 licensed physician assistant.

13 The bill provides for several changes to the definitions
14 applicable to physician assistants pursuant to Code chapter
15 148C. The bill provides that an approved program for the
16 education of physician assistants refers to a program
17 accredited by the American medical association's committee on
18 allied health education and accreditation, its successor, the
19 commission on accreditation of allied health educational
20 programs, its successor, the accreditation review commission
21 on education for the physician assistant, or its successor,
22 rather than pursuant to rules as currently defined. The bill
23 also provides that a physician assistant may be licensed if
24 the person has passed the certifying examination administered
25 by the national commission on certification of physician
26 assistants or its successor examination. The bill provides
27 that physician assistants who are not graduates of approved
28 programs, but who passed the national commission on
29 certification of physician assistants' certifying examination
30 prior to 1986, are exempt from this graduation requirement.
31 The bill provides that a licensed physician assistant
32 practices medicine with the supervision of physicians, as
33 opposed to the current definition indicating a physician
34 assistant practices under the supervision of physicians
35 specified on the license.

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1 The bill provides for modifications regarding requirements
2 for licensure as a physician assistant consistent with the
3 revised definitions and elimination of registration as a
4 physician assistant.

5 The bill further requires that the board of physician
6 assistant examiners adopt new rules relating to administration
7 of Code chapter 148C on or before January 1, 2002.

8 The bill takes effect upon enactment.

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MAR 22 2001

HOUSE FILE 688

BY COMMITTEE ON HUMAN RESOURCES

Place On Calendar

(SUCCESSOR TO HSB 203)

Passed House, Date _____ Passed Senate, Date _____
 Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
 Approved _____

A BILL FOR

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 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 688

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4 chapter 148C may use the words "physician assistant" after the
5 person's name or signify the same by the use of the letters
6 "P. A." after the person's name.

7 Sec. 2. Section 147.80, subsection 5, Code 2001, is
8 amended to read as follows:

9 5. Application for a license to practice as a physician
10 assistant, issuance of a license to practice as a physician
11 assistant issued upon the basis of an examination given or
12 approved by the board of physician assistant examiners,
13 issuance of a license to practice as a physician assistant
14 issued under a reciprocal agreement, renewal of a license to
15 practice as a physician assistant, temporary license to
16 practice as a physician assistant, ~~registration of a physician~~
17 ~~assistant, temporary registration of a physician assistant,~~
18 ~~renewal of a registration of a physician assistant.~~

19 Sec. 3. Section 147.107, subsection 5, Code 2001, is
20 amended to read as follows:

21 5. Notwithstanding subsection 1 and any other provision of
22 this section to the contrary, a physician may delegate the
23 function of prescribing drugs, controlled substances, and
24 medical devices to a physician assistant licensed pursuant to
25 chapter 148C. When delegated prescribing occurs, the
26 supervising physician's name shall be used, recorded, or
27 otherwise indicated in connection with each individual
28 prescription so that the individual who dispenses or
29 administers the prescription knows under whose delegated
30 authority the physician assistant is prescribing. Rules
31 relating to the authority of physician assistants to prescribe
32 drugs, controlled substances, and medical devices pursuant to
33 this subsection shall be adopted by the board of physician
34 assistant examiners, after consultation with the board of
35 medical examiners and the board of pharmacy examiners, as soon

1 as possible after July 1, 1991. The rules shall be reviewed
2 and approved by the physician assistant rules review group
3 created under subsection 7 and shall be adopted in final form
4 by January 1, 1993. However, the rules shall prohibit the
5 prescribing of schedule II controlled substances which are
6 listed as stimulants or depressants pursuant to chapter 124.
7 If rules are not reviewed and approved by the physician
8 assistant rules review group created under subsection 7 and
9 adopted in final form by January 1, 1993, a physician
10 assistant may prescribe drugs as a delegated act of a
11 supervising physician under rules adopted by the board of
12 physician assistant examiners and subject to the rules review
13 process established in section 148C.7. The board of physician
14 assistant examiners shall be the only board to regulate the
15 practice of physician assistants relating to prescribing and
16 supplying prescription drugs, controlled substances and
17 medical devices, ~~notwithstanding section 148C-6A.~~

18 Sec. 4. Section 148.13, subsection 4, Code 2001, is
19 amended by striking the subsection.

20 Sec. 5. Section 148C.1, subsection 1, Code 2001, is
21 amended by striking the subsection and inserting in lieu
22 thereof the following:

23 1. "Approved program" means a program for the education of
24 physician assistants which has been accredited by the American
25 medical association's committee on allied health education and
26 accreditation, by its successor, the commission on
27 accreditation of allied health educational programs, or by its
28 successor, the accreditation review commission on education
29 for the physician assistant, or its successor.

30 Sec. 6. Section 148C.1, subsection 5, Code 2001, is
31 amended to read as follows:

32 5. "Physician" means a person who is currently licensed in
33 Iowa to practice medicine and surgery, osteopathic medicine
34 and surgery, or osteopathy, and who is actively engaged in the
35 practice of medicine and surgery, osteopathic medicine and

1 surgery, or osteopathy in Iowa.

2 Sec. 7. Section 148C.3, Code 2001, is amended by striking
3 the section and inserting in lieu thereof the following:

4 148C.3 LICENSURE.

5 1. The board shall formulate guidelines and adopt rules,
6 pursuant to section 148C.7, to govern the licensure of persons
7 who qualify as physician assistants. An applicant for
8 licensure shall submit the fee prescribed by the board and
9 shall meet the requirements established by the board with
10 respect to all of the following:

11 a. Academic qualifications, including evidence of
12 graduation from an approved program. However, if the board
13 determines that a person has sufficient knowledge and
14 experience to qualify as a physician assistant, the board may
15 approve an application for licensure without requiring the
16 completion of an approved program.

17 b. Examination grades and evidence of passing the national
18 commission on certification of physician assistants
19 examination or an equivalent examination which the board
20 approves.

21 c. Hours of continuing medical education necessary to
22 remain licensed or eligible for licensure.

23 d. Submission of information to the board regarding the
24 physician or physicians eligible to serve as a physician
25 supervisor under rules of the board of medical examiners who
26 have agreed to serve as the applicant's physician supervisor
27 or supervisors.

28 2. The board may issue a temporary license under special
29 circumstances and upon conditions prescribed by the board. A
30 temporary license shall not exceed one year in duration and
31 shall not be renewed more than once.

32 3. The applicant shall not submit and the board shall not
33 approve an application for licensure which would result in a
34 physician supervising more than two physician assistants at
35 one time.

1 4. A licensed physician assistant shall perform only those
2 services for which the licensed physician assistant is
3 qualified by training and for which the licensed physician
4 assistant has an eligible physician supervisor, and shall not
5 perform a service that is not permitted by the board.

6 5. Rules shall be adopted pursuant to this chapter which
7 will permit qualified practicing physicians to supervise
8 licensed physician assistants at a free medical clinic on a
9 temporary basis.

10 Sec. 8. Section 148C.11, Code 2001, is amended to read as
11 follows:

12 148C.11 PROHIBITION -- CRIME.

13 A person not ~~registered-and~~ licensed as required by this
14 chapter who practices as a physician assistant ~~without-having~~
15 ~~obtained-the-appropriate-approval-under-this-chapter,~~ is
16 guilty of a serious misdemeanor.

17 Sec. 9. Sections 148C.2, 148C.5A, and 148C.6A, Code 2001,
18 are repealed.

19 EXPLANATION

20 This bill modifies licensure requirements for physician
21 assistants.

22 The bill eliminates provisions relating to registration as
23 a physician assistant, and incorporates requirements for
24 physician assistant qualifications and identification of
25 eligible physician supervisors within a single licensure
26 process. The bill also eliminates provisions regarding
27 appeals to the board of medical examiners of decisions of the
28 board of physician assistant examiners in a contested case
29 involving discipline of a licensed physician assistant.

30 The bill provides for changes to the definitions applicable
31 to physician assistants pursuant to Code chapter 148C. The
32 bill provides that an approved program for the education of
33 physician assistants refers to a program accredited by the
34 American medical association's committee on allied health
35 education and accreditation, its successor, the commission on

1 accreditation of allied health educational programs, its
2 successor, the accreditation review commission on education
3 for the physician assistant, or its successor, rather than
4 pursuant to rules as currently defined. The bill also
5 provides that a physician refers to a person who is currently
6 licensed in Iowa to practice medicine and surgery, osteopathic
7 medicine and surgery, or osteopathy, and who is actively
8 engaged in the practice of medicine and surgery, osteopathic
9 medicine and surgery, or osteopathy in Iowa.

10 The bill provides for modifications regarding requirements
11 for licensure as a physician assistant consistent with the
12 revised definitions and elimination of registration as a
13 physician assistant.

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**HOUSE FILE 688
FISCAL NOTE**

The estimate for **House File 688** is hereby submitted as a fiscal note pursuant to Joint Rule 17 and as a correctional impact statement pursuant to Section 2.56, Code of Iowa. Data used in developing this fiscal note and correctional impact statement are available from the Legislative Fiscal Bureau to members of the Legislature upon request.

House File 688 modifies licensure requirements for physician assistants and eliminates requirements for registration as a physician assistant. The Bill specifies that any person not licensed as a physician assistant who practices as such, is guilty of a simple misdemeanor.

ASSUMPTIONS

1. Under current law, physician assistants must be licensed and registered. The registration fee of \$5 per registrant is collected by the Department of Public Health and deposited into the General Fund. This Bill would eliminate the registration requirement.
2. Approximately 250 physician assistants register each year in the State of Iowa. This includes new registration as well as renewals.

CORRECTIONAL IMPACT

There is no significant correctional impact expected as a result of House File 688.

FISCAL IMPACT

House File 688 is expected to reduce General Fund Revenues by approximately \$1,300 annually.

SOURCES

Department of Public Health
Department of Corrections
Criminal and Juvenile Justice Planning Division, Department of Human Rights,

(LSB 3235hv, RIT)

FILED MARCH 26, 2001

BY DENNIS PROUTY, FISCAL DIRECTOR