



# Board of Physicians

Larry Hogan, Governor · Boyd K. Rutherford, Lt. Governor · Damean W.E. Freas, D.O., Chair

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## 2022 SESSION POSITION PAPER

**BILL NO.:** SB 808 – Health Occupations – Physician Assistants – Revisions  
**COMMITTEE:** Education, Health, and Environmental Affairs  
**POSITION:** Letter of Opposition

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**TITLE:** Health Occupations – Physician Assistants – Revisions

### **POSITION & RATIONALE:**

The Maryland Board of Physicians (the Board) is respectfully submitting this letter of opposition for Senate Bill (SB) 808 – Health Occupations – Physician Assistants – Revisions. SB 808 will remove the supervisory relationship between physicians and physician assistants, replacing it with a collaboration agreement. In addition, SB 808 will expand the scope of practice to include any medical acts “consistent with the physician assistant’s education, training and experience.”

Currently in Maryland, physician assistants work as physician extenders, providing vital medical services under the supervision of a licensed physician. Physician assistants are required to operate within a delegation agreement, which includes a description of the medical acts being delegated to the physician assistant as well as supervision mechanisms that are reasonable and appropriate to the practice setting. The performance of advanced duties, defined as medical acts that require additional training beyond the basic physician assistant education program, require review by the Physician Assistant Advisory Committee (PAAC), an advisory committee to the Board, and approval by the Board. Information regarding the delegation agreement, supervising physician and prescriptive authority are published on the physician assistant and supervising physician’s practitioner profile, where any member of the public may review them.

SB 808 will remove the delegation agreement process altogether and replace it with a collaboration agreement, fundamentally altering a physician assistant from a physician extender to a provider who merely collaborates and consults with a physician as needed. SB 808 will also remove any distinction between core duties taught during a physician assistant’s required education and advanced duties that are learned on the job and subject to approval by the Board. The collaboration agreement proposed in SB 808 will require no approval of advanced duties by the Board or review by the PAAC and will not require that the physician demonstrate that they possess the education, training or experience required to perform these advanced duties.

Under SB 808, a physician assistant will be permitted to perform any medical task that a physician could perform, without prior approval by the Board or by his or her collaborating physician,

provided that the physician assistant felt it was within their education, training and expertise and that it was customary to the practice of the signing physician. Physician assistants are required under SB 808 to attest to collaborating and consulting with members of a health care team without any real explanation of when such a consultation is required or what that consultation entails. SB 808 will also explicitly expand the scope of practice for all physician assistants to include the authority to prescribe and dispense controlled dangerous substances, prescription drugs and medical devices.

The Board understands the importance of updating its requirements to match current practice standards and would welcome discussion with the sponsors and stakeholders regarding how to streamline its delegation agreement process. The Board has discussed potential changes to the current system, including removal of advanced duty approval for physician assistants working in hospitals that perform their own credentialing, the ability to “carry” approved delegated acts from location to location, and the expansion of the number of physician assistants a physician may supervise in certain settings. However, the changes proposed in SB 808 will represent a radical departure from current practice, and will remove an important piece of patient protection and transparency in Maryland.

Based on these concerns, the Board must respectfully oppose SB 808 in its current form but remains eager to work with the sponsors and stakeholders on potential solutions.

Thank you for your consideration. For more information, please contact Matthew Dudzic, Health Policy Analyst, Maryland Board of Physicians, 410-764-5042.

Sincerely,



Damean W. E. Freas, D.O.  
Chair, Maryland Board of Physicians

**The opinion of the Board expressed in this document does not necessarily reflect that of the Maryland Department of Health or the Administration.**