



MARYLAND ASSOCIATION OF DERMATOLOGY PHYSICIAN ASSISTANTS

11620 Reisterstown Rd. #845, Reisterstown, Maryland 21136

mddermpas@gmail.com www.madpa.net

**Testimony on House Bill 727
Physician Assistants – Revisions (Physician Assistant Modernization Act
2023) Position: Favorable**

House Health & Government Operations Committee

March 2, 2023

To: The Honorable Joseline Pena-Melnyk, Chair, House Health & Government Operations Committee

Dear Chair Pena-Melnyk:

As president of the Maryland Association of Dermatology Physician Assistants (MADPA), I am providing oral and written testimony asking for **your vote in favor of HB 727—Physician Assistant – Revisions (Physician Assistant Modernization Act of 2023)**. MADPA supports this legislation put forth by the Maryland Academy of Physician Assistants (MdAPA).

Physician Assistants (PA's) play a critical role in the delivery of healthcare and increase patient access to care in Maryland, and particularly in underserved and rural communities. In rural communities, there are fewer primary care and specialty physicians. PAs are trained and educated in all specialties and clinical settings. Therefore, they would be able to fulfill those underserved communities. By removing the barriers of the current law, the scope of practice would be determined by the clinical setting and what is in the best interest for the practice and patient care. Also, it would provide greater flexibility for PAs to deliver healthcare to all citizens of Maryland in all clinical settings and communities.

Maryland legislation is behind the times when it comes to the PA profession. Forty-one states and the District of Columbia allow the particulars of each PA's scope of practice to be decided at the practice level. The national PA/Physician model is to move away from "supervision" to define the nature of the PA working with physicians and replace it with "collaboration agreements. Having clear laws and regulations that state that physicians are not responsible for the care provided by PAs reduces physician risk for actions of PAs.

In my own specialty of dermatology, COMAR 10.32.09 regulations, Dermatology PAs are being held to a standard equivalent to that of no other PA: 1) cosmetic procedures require increased supervision, 2) a physician must see the patient prior to any cosmetic procedure and 3) agree on the plan of care. This hindrance is not experienced by other advanced practice providers, nor is it experienced by registered nurses working in dermatology who do not require training and certification to perform some of these very same procedures. It is unnecessary and burdensome to the dermatologist and PA and hinders the flow of the practice. The theoretical "safety net" of required direct physician supervision, initial evaluations, and detailed treatment plans, provides a false sense of security and has no statutory or

evidentiary basis.

HB 727 would eliminate both the delegation agreement and advanced duties and move to greater flexibility to determine at the practice level what is in the best interest of the medical practice and its patients. The issues of overregulation would be resolved by promoting clinical practice more equitably amongst PAs and all advanced practice providers using the “collaborative agreement” model and eliminating “advance duties”.

Maryland has 5 accredited master degree PA programs that are developing future PAs to help alleviate the shortage of healthcare. These new graduates entering the PA workforce are vigorously educated with 27 months of PA education courses and 2000 clinical rotation hours. In the summer of 2023 two more schools are accepting their first classes of students. Maryland has some of the best medical institutions in the world educating PA students and employing thousands of PAs in every specialty and clinical setting. While I know that PAs cannot meet all of our state’s healthcare workforce shortage needs alone; PAs can be part of the solution by removing unnecessary barriers to the healthcare team.

Maryland’s neighboring states of Delaware, District of Columbia, Virginia and West Virginia all have eliminated "Supervising Physician" changing to "Collaboration agreement", removed core and advanced duties to "scope of practice determined at the practice site." It is critical that HB 727 legislation is enacted to enable highly trained qualified PAs to deliver safe and affordable healthcare as efficiently as possible through patient-centered collaborative team-based practice.

Maryland’s clinically practicing licensed PAs and students are carefully monitoring improvements in neighboring state laws, as they decide to continue employment in Maryland to begin practice upon graduation. Maryland will not be able to keep pace with the recruitment and retention rate of these highly educated and skilled PAs without positive legislative changes. Maryland, as well as in these other states are struggling with the same issues of healthcare shortage. Maryland is losing PAs to fulfill the healthcare needs of its surrounding states that do not have the hassle and struggle of the restrictive burdensome PA practices laws in Maryland.

The PA profession in Maryland is at a critical point to keep pace with the rest of the country and be in a position to recruit and retain PAs. It is worrisome that PAs are electing to leave Maryland for other states where legislative laws are more conducive and where PAs can practice medicine in autonomy to their fullest ability of their experience, education and training.

Maryland should join the national movement to achieve and implement and improve statutory and regulatory environment for PAs to practice medicine by eliminating the delegation agreement, advanced duties and supervision with a “collaboration agreement”.

For these reasons, we urge a favorable report on House Bill **727**— Physician Assistant Revisions (Physician Assistant Modernization Act 2023).

Respectfully submitted,

Esther Cohen, P.A-C

President, Maryland Association of Dermatology Physician Assistants
cohen.estherpa@gmail.com
410-967-5179