

Proposed Amendments to House Bill 377—

Physician Assistants-Parity with Other Health Care Practitioners

**Offered by: Med Chi, the MD Chapter of the American College of Emergency Physicians,
and the MD Academy of Family Physicians**

AMENDMENT NO. 1

On page 4, at line 28, after “2.” Insert, “SUBJECT TO (A) BELOW,” and in the same line, after “ASSISTANT;” insert (A) IF THE ASSENT IS NOT MADE BY A PHYSICIAN ASSISTANT IN AN EXEMPT FACILITY UNDER HEALTH OCCUPATIONS §15-302.1(A), THE PHYSICIAN ASSISTANT MUST HAVE BEEN APPROVED FOR ADVANCED DUTIES IN PSYCHIATRY BY THE BOARD OF PHYSICIANS.”

AMENDMENT NO.2

On page 5, at line 12, after “through”, delete (e) and insert “(F)”, and on page 5, after line 11, insert: “(F) IF THE CERTIFICATION IS NOT MADE BY A PHYSICIAN ASSISTANT IN AN EXEMPT FACILITY UNDER HEALTH OCCUPATIONS §15-302.1(A), THE PHYSICIAN ASSISTANT MUST HAVE BEEN APPROVED FOR ADVANCED DUTIES IN PSYCHIATRY BY THE BOARD OF PHYSICIANS.”

Rationale on Amendments 1 and 2: Each of the existing health professionals who are allowed under current law to function as the second certification for voluntary admission have specialized training in mental health (Psychiatric Nurse Practitioner, Licensed Certified Social Worker-Clinical, for example). The same specialization requirement should apply to a Physician Assistant (PA).

Psychiatric duties are considered Advanced Duties for a PA, and must be approved by the Board of Physicians because they are beyond the basic duties of a PA. If advanced duties occur in an exempt facility, like a hospital, the Board of Physicians approval requirement is waived because the facility is expected to have adequate safeguards and ensure proper training. This amendment only captures a PA that does not fall within the exempt facility exception, which is expected to be very few.

AMENDMENT NO. 3

On page 6, at line 18, delete “(III) 1 PHYSICIAN AND 1 PHYSICIAN ASSISTANT;”, in line 28 delete “PHYSICIAN ASSISTANT;”, and on page 7 at lines 5, 13 and 21, delete “PHYSICIAN ASSISTANT;”.

Rationale: This amendment deletes PAs from those professionals who can be the second certification on an INVOLUNTARY admission. These cases are exceedingly difficult, since the patient's liberty is being taken against their will, as opposed to the voluntary admissions addressed above. For that reason, Med Chi believes that only those already included in the statute, who have advanced training in mental health, should be making these certifications.

AMENDMENT NO 4.

On page 11, at line 14, delete "PHYSICIAN ASSISTANT,".

Rationale: This section of the law relates to health maintenance organizations (HMOs) and would allow a member of the HMO (patient) to select a PA as their primary care provider. While many patients do see PAs, a PA must have a collaborative agreement with a physician in order to practice. The patient should select the physician tied to the PA as their primary care provider, because the PA cannot practice independent of that physician, or another physician.