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State of Minnesota

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HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. 1036

- 02/18/2015 Authored by Baker, Mack, Gruenhagen, Schoen, Lohmer and others
The bill was read for the first time and referred to the Committee on Health and Human Services Reform
- 03/16/2015 Adoption of Report: Placed on the General Register as Amended
Read Second Time
- 05/06/2015 Calendar for the Day
Read Third Time
Passed by the House and transmitted to the Senate
- 03/23/2016 Returned to the House as Amended by the Senate
Refused to concur and Conference Committee appointed

1.1 A bill for an act
 1.2 relating to health care; modifying provisions related to physician assistants;
 1.3 amending Minnesota Statutes 2014, sections 147A.01, subdivisions 17a, 23;
 1.4 147A.20, subdivisions 1, 2; repealing Minnesota Statutes 2014, section 147A.01,
 1.5 subdivision 5.

1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7 Section 1. Minnesota Statutes 2014, 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 2014, 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,

2.1 and activities of a physician assistant under an agreement as described in section 147A.20.
2.2 ~~The supervising physician who completes and signs the delegation agreement may be~~
2.3 ~~referred to as the primary supervising physician. A supervising physician shall not~~
2.4 ~~supervise more than five full-time equivalent physician assistants simultaneously. With~~
2.5 ~~the approval of the board, or in a disaster or emergency situation pursuant to section~~
2.6 ~~147A.23, a supervising physician may supervise more than five full-time equivalent~~
2.7 ~~physician assistants simultaneously.~~

2.8 Sec. 3. Minnesota Statutes 2014, section 147A.20, subdivision 1, is amended to read:

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

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

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

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

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

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

3.1 Sec. 4. Minnesota Statutes 2014, section 147A.20, subdivision 2, is amended to read:

3.2 Subd. 2. ~~Notification of intent to Practice location notification.~~ A licensed
3.3 physician assistant shall submit a ~~notification of intent to practice location notification~~
3.4 to the board ~~prior to beginning~~ within 30 business days of starting practice, changing
3.5 practice location, or changing supervising physician. The notification shall include the
3.6 name, business address, and telephone number of the supervising physician and the
3.7 physician assistant. Individuals who practice without submitting a ~~notification of intent to~~
3.8 ~~practice location notification~~ shall be subject to disciplinary action under section 147A.13
3.9 for practicing without a license, unless the care is provided in response to a disaster or
3.10 emergency situation pursuant to section 147A.23.

3.11 Sec. 5. REVISOR'S INSTRUCTION.

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

3.14 Sec. 6. REPEALER.

3.15 Minnesota Statutes 2014, section 147A.01, subdivision 5, is repealed.

APPENDIX
Repealed Minnesota Statutes: H1036-1

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.