

**CHAPTER 5600**  
**BOARD OF MEDICAL EXAMINERS**  
**LICENSURE**

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**5600.2500 ANNUAL FEES.**

The fees charged by the board are fixed at the following rates:

- A. physician examination fee, full exam, \$490;
- B. physician examination fee, Part I only, \$290;
- C. physician examination fee, Part II only, \$345;
- D. physician application fee, \$200;
- E. physician annual license, \$144;
- F. physician certification to other states, \$10;
- G. physician verification to institutions, \$5;
- H. physician endorsement to other states, \$40;
- I. physician emeritus license, \$50;
- J. physician temporary licenses, \$60;
- K. physician late fee, \$60;
- L. physical therapist application fee, \$75;
- M. physical therapist examination fee, \$110;
- N. physical therapist annual registration, \$35;
- O. physical therapist late fee, \$10;
- P. physical therapist certification to other states, \$10;
- Q. physical therapist verification to institutions, \$5;
- R. physical therapist temporary permit, \$10;
- S. duplicate license or registration fee, \$10;
- T. education or training program approval fee, \$25; and
- U. special purpose examination fee, \$345.

**Statutory Authority:** *MS s 16A.128; 147.01; 147.02; 147.03; 147.037; 148.705; 148.73; 148.74; 214.06; 214.12*

**History:** *16 SR 1178*

**5600.2600 DEFINITIONS.**

**Subpart 1. Scope.** For the purposes of parts 5600.2600 to 5600.2670, the following terms have the meanings given them.

*[For text of subp 2, see M.R.]*

**Subp. 2a. Administer.** "Administer" means to deliver by a physician assistant authorized to prescribe legend drugs, a single dose of a legend drug, excluding controlled substances, to a patient by injection, inhalation, ingestion, or by any other immediate means.

**Subp. 3. Agreement.** "Agreement" means a document signed by the physician and the physician assistant which includes contents specified in part 5600.2635, subpart 3. If there is a delegation of prescribing and administering of legend drugs and medical devices, the agreement includes the delegation form in part 5600.2670, subpart 6.

**Subp. 4. Alternate supervising physician.** "Alternate supervising physician" means a Minnesota licensed physician listed in the physician-physician assistant agreement who is responsible for supervising the physician assistant when the 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.

**Subp. 5. Board.** "Board" means the Minnesota Board of Medical Practice.  
*[For text of subps 6 and 7, see M.R.]*

**Subp. 7a. Delegation form.** "Delegation form" refers to the form in part 5600.2670, subpart 6, used to indicate the categories of drugs for which the authority to prescribe and administer has been delegated to the physician assistant and signed by the supervising physician, any alternate supervising physicians, and the physician assistant. This form is part of the agreement as defined in subpart 3.

*[For text of subp 8, see M.R.]*

**Subp. 8a. Drug.** "Drug" has the meaning given it in Minnesota Statutes, section 151.01, subdivision 5, excluding controlled substances as defined in Minnesota Statutes, section 152.01, subdivision 4.

**Subp. 8b. Drug category.** "Drug category" means one of the categories listed on the form in part 5600.2670, subpart 6.

*[For text of subp 9, see M.R.]*

**Subp. 9a. Internal protocol.** "Internal protocol" means a document written by the supervising physician and physician assistant which specifies the policies and procedures which will apply to the physician assistant's prescribing and administering of legend drugs and medical devices and lists the specific drugs and medical devices, with any exceptions or conditions, that the physician assistant is authorized to prescribe and administer.

**Subp. 9b. Legend drug.** "Legend drug" has the meaning given it in Minnesota Statutes, section 151.01, subdivision 17, excluding controlled substances as defined in Minnesota Statutes, section 152.01, subdivision 4.

**Subp. 9c. Medical device.** "Medical device" means durable medical equipment and assistive or rehabilitative appliances, objects, or products that are required to implement the overall plan of care for the patient and that are restricted by federal law to use upon prescription by a licensed practitioner.

*[For text of subp 10, see M.R.]*

**Subp. 11. Physician assistant; registered physician assistant.** "Physician assistant" or "registered physician assistant" means a person registered pursuant to parts 5600.2600 to 5600.2670 who is qualified by academic or practical training or both to provide patient services as listed in part 5600.2615 under the supervision of a supervising physician.

**Subp. 11a. Prescribe.** "Prescribe" means to direct, order, or designate by means of a prescription the preparation, use of, or manner of using a drug or medical device.

**Subp. 11b. Prescription.** "Prescription" means a signed written order, or an oral order reduced to writing, given by a physician assistant authorized to pre-

scribe drugs for patients in the course of the physician assistant's practice, issued for an individual patient and containing the information required by part 5600.2670, subpart 4, item C.

**Subp. 12. Registration.** "Registration" is the process by which the board determines that an applicant has been found to meet the standards and qualifications specified in parts 5600.2600 to 5600.2670.

**Subp. 13. Supervising physician.** "Supervising physician" means a Minnesota licensed physician who accepts full medical responsibility for the performance, practice, and activities of a physician assistant under an agreement approved by the board and pursuant to part 5600.2615. Supervising physician includes "alternate supervising physician" for the purposes of parts 5600.2600 to 5600.2670.

**Statutory Authority:** *MS s 147.34*

**History:** *16 SR 1996*

#### **5600.2605 PURPOSE.**

The purpose of parts 5600.2600 to 5600.2670 is to establish the administrative structure, the procedures, and the requirements for the registration of people qualified to be physician assistants and the requirements which must be met before a physician assistant may prescribe and administer legend drugs and medical devices.

**Statutory Authority:** *MS s 147.34*

**History:** *16 SR 1996*

#### **5600.2610 RESTRICTIONS ON USE OF TITLE OF REGISTERED PHYSICIAN ASSISTANT.**

**Subpart 1. Physician assistant identification.** Only a registered physician assistant in active status may use the title "physician assistant" or "registered physician assistant" without restriction. A registered physician assistant in active status shall be identified at the practice site by using a name tag or name plate or some other identifying device bearing the title "registered physician assistant."

*[For text of subp 2, see M.R.]*

**Statutory Authority:** *MS s 147.34*

**History:** *16 SR 1996*

#### **5600.2615 SCOPE OF PHYSICIAN ASSISTANT PRACTICE.**

*[For text of subpart 1, see M.R.]*

**Subp. 2. Descriptive list of allowed services.** Patient services must be limited to:

*[For text of items A to E, see M.R.]*

F. providing instructions and guidance regarding medical care matters to patients;

G. assisting the supervising physician in the delivery of services to patients requiring medical care in the home and in health care institutions, including recording patient progress notes, issuing diagnostic orders which must be countersigned by the supervising physician within 24 hours, and transcribing or executing specific orders at the direction of the supervising physician; and

H. prescribing and administering legend drugs other than controlled substances as defined in Minnesota Statutes, section 152.01, subdivision 4, and medical devices if this function has been delegated to the physician assistant by the supervising physician and approved by the board, pursuant to and subject to

the limitations of Minnesota Statutes, section 147.34 and chapter 151, and parts 5600.2600 to 5600.2670.

**Statutory Authority:** *MS s 147.34*

**History:** *16 SR 1996*

**5600.2635 APPLICATION PROCESS FOR APPROVAL OF AGREEMENT BETWEEN PHYSICIAN AND PHYSICIAN ASSISTANT.**

*[For text of subps 1 and 2, see M.R.]*

**Subp. 3. Contents of agreement.** The agreement must include at least the following:

*[For text of items A to C, see M.R.]*

D. a statement by the supervising physician regarding the delegation or nondelegation of the functions of prescribing and administering legend drugs and medical devices to the physician assistant, and, if delegation is specified, the completed delegation form as required by part 5600.2670;

E. a statement that the supervising physician and alternate supervising physician assume full medical responsibility for all patient services provided by the physician assistant; and

F. any other information which will assist the board in determining whether the physician assistant will be adequately supervised by the supervising physician.

*[For text of subp 4, see M.R.]*

**Subp. 5. Procedure to obtain delegation of prescribing and administering functions.** To obtain delegation of prescribing and administering functions, a physician assistant must:

A. submit an agreement indicating delegation of prescribing and administering functions;

B. submit a copy of the physician assistant's certification card from the National Commission on Certification of Physician Assistants showing current certification;

C. submit the completed and signed delegation form in part 5600.2670, subpart 6; and

D. submit the fees required by part 5600.2655.

The board shall review each application for approval of agreements containing delegation of prescribing in a timely manner and notify the applicant in writing of action taken on the application. If the agreement is not approved, the board must indicate the grounds for its action in the notice to the applicant.

**Statutory Authority:** *MS s 147.34*

**History:** *16 SR 1996*

**5600.2645 APPLICATION PROCESS FOR REREGISTRATION.**

A physician assistant's registration expires each year on July 1. Each physician assistant must reregister on or before July 1 of each year by submitting a completed application for reregistration on a form provided by the board together with the annual reregistration fee. Physician assistants with authority to prescribe and administer legend drugs and medical devices must also provide a copy of a current certification card issued by the National Commission on Certification of Physician Assistants. The information supplied on the application for reregistration must be sufficient for the board to determine whether the physician assistant continues to meet the requirements for registration in part 5600.2625 or 5600.2640. In addition, the applicant must meet the continuing education

requirements of part 5600.2650. The board may request a physician assistant to submit additional information to clarify information presented in the application for reregistration. An application submitted after the reregistration deadline date must be accompanied by a late fee.

**Statutory Authority:** *MS s 147.34*

**History:** *16 SR 1996*

#### 5600.2655 APPLICATION FEES.

*[For text of subps 1 to 3, see M.R.]*

**Subp. 4. Fee for approval of agreements.** The fee for approval of an agreement between a physician and physician assistant by the board shall be:

A. \$30 for agreements not containing delegation of prescribing and administering functions; or

B. \$86 for agreements containing delegation of prescribing and administering functions. The delegation form must accompany the agreement.

*[For text of subps 5 and 6, see M.R.]*

**Statutory Authority:** *MS s 147.34*

**History:** *16 SR 1996*

#### 5600.2660 PROCESS AND GROUNDS FOR DISCIPLINARY ACTION.

*[For text of subpart 1, see M.R.]*

**Subp. 2. Disciplinary options of board.** The board shall refuse to grant or renew a registration, or shall suspend or revoke a registration, or use any reasonable lesser remedy against a physician assistant if the assistant:

*[For text of items A to D, see M.R.]*

E. violates parts 5600.2600 to 5600.2670;

F. is unable to perform patient services with reasonable skill and safety to patients due to physical or mental illness or use of alcohol, drugs, or other substance;

G. violates state or federal laws regarding prescribing or administering legend drugs or medical devices;

H. prescribes or administers legend drugs or medical devices in a manner other than under the procedures in parts 5600.2600 to 5600.2670;

I. prescribes or administers legend drugs or medical devices in a manner which is inconsistent with the training and experience of the physician assistant or in a manner which falls below the community standard of care; or

J. prescribes or administers legend drugs or medical devices in violation of the agreement.

**Subp. 3. Disciplinary actions.** If the board finds that a physician assistant should be disciplined pursuant to subpart 2, the board may take any one or more of the following actions:

*[For text of items A to D, see M.R.]*

E. condition, limit, or restrict a registration;

F. place the physician assistant on probation, which probation may be vacated upon compliance with such reasonable terms as the board may impose; or

G. refuse to approve delegation of prescribing and administering authority; revoke, suspend, restrict, or condition prescribing and administering authority.

**Subp. 4. Consequences of disciplinary action.** Upon the revocation or suspension, the registrant shall return to the board the registrant's certificate and current renewal document.

*[For text of subp 5, see M.R.]*

**Statutory Authority:** *MS s.147.34*

**History:** *16 SR 1996*

**5600.2665 PHYSICIAN ASSISTANT ADVISORY COUNCIL.**

**Subpart 1. Membership.** Subject to approval by the board, the commissioner shall appoint seven persons to a physician assistant advisory council. The seven persons must include:

A. two public members, as defined in Minnesota Statutes, section 214.02;

B. three physician assistants registered under parts 5600.2600 to 5600.2670; and

C. two licensed physicians one of whom must be a representative of the board.

*[For text of subp 2, see M.R.]*

**Subp. 3. Duties.** The council shall:

A. advise the board regarding physician assistant registration standards;

B. advise the board on enforcement of parts 5600.2600 to 5600.2670;

C. provide for distribution of information regarding physician assistant registration standards;

D. review applications and recommend applicants for registration or reregistration;

E. receive and process complaints about applicants and registrants according to Minnesota Statutes, sections 214.10 and 214.13, subdivisions 6 and 7;

F. perform disciplinary investigations;

G. perform other duties authorized for the council by Minnesota Statutes, chapter 214, as directed by the board; and

H. review delegation of prescribing and administering authority in agreements, request a copy of the internal protocol or other additional information for clarification of delegation terms if necessary, and recommend approval, disapproval, or modification of the agreement based upon the standards in Minnesota Statutes, section 147.34 and parts 5600.2600 to 5600.2670.

**Statutory Authority:** *MS s 147.34*

**History:** *16 SR 1996*

**5600.2670 DELEGATION OF AUTHORITY TO PRESCRIBE AND ADMINISTER DRUGS AND MEDICAL DEVICES.**

**Subpart 1. Delegation.** A physician assistant may prescribe and administer legend drugs and medical devices under the following conditions;

A. the physician assistant is currently certified by the National Commission on Certification of Physician Assistants as evidenced by a copy of the certification card with expiration date;

B. the physician assistant is registered with the board;

C. the physician assistant's supervising physician and the physician assistant have completed and signed the delegation form in subpart 6;

D. the agreement has been approved by the board based upon the standards in Minnesota Statutes, section 147.34 and parts 5600.2600 to 5600.2670; and

E. the physician assistant's prescription writing privileges are not currently restricted by the board.

**Subp. 2. Documentation.** The physician assistant shall enter each prescription on the patient's chart.

The supervising physician shall retrospectively review the physician assistant's prescribing and administering practices on a daily basis. Review may either be in person or by telecommunication.

A. If the supervising physician performs this review in person, the supervising physician shall document the retrospective review by signature on the patient's chart or other permanent practice record.

B. For facilities staffed by the physician assistant that are separate from the usual practice site of the supervising physician, the physician assistant or the supervising physician shall document the retrospective review by signature on the patient's chart or other permanent practice record. At each site visit, the supervising physician shall document by signature and date on the patient's chart or other permanent practice record that the physician assistant's prescribing and administering practices have been reviewed.

**Subp. 3. Termination and reinstatement of prescribing authority.**

A. The authority of a physician assistant to prescribe and administer legend drugs and medical devices shall end immediately when:

(1) the agreement is terminated;

(2) the authority to prescribe and administer is terminated or withdrawn by the supervising physician; or

(3) the physician assistant reverts to inactive status, loses National Commission on Certification of Physician Assistants certification, or loses or terminates registration status.

B. The physician assistant must notify the board in writing within ten days of the occurrence of any of the circumstances listed in item A.

C. Physician assistants whose authority to prescribe and administer has been terminated shall reapply for approval of the agreement under part 5600.2635 and meet the requirements of subpart 1, and any other requirements established by the board prior to reinstatement of the prescribing and administering authority.

**Subp. 4. Other requirements and restrictions.**

A. The supervising physician and the physician assistant must complete, sign, and date an internal protocol which lists each drug or medical device the physician assistant may prescribe and administer. The supervising physician and physician assistant shall submit the internal protocol to the board upon request. The supervising physician may amend the internal protocol as necessary, within the limits of the completed delegation form in subpart 6. The supervising physician and physician assistant must sign and date any amendments to the internal protocol. Any amendments resulting in a change to the delegation form in subpart 6 must be submitted to the board according to part 5600.2635, subpart 4, along with the fee required in part 5600.2655.

B. The supervising physician and physician assistant shall review delegation of prescribing and administering authority on an annual basis at the time of reregistration. The internal protocol must be signed and dated by the supervising physician and physician assistant after review. Any amendments to the internal protocol resulting in changes to the delegation form in subpart 6 must be submitted to the board according to part 5600.2635, subpart 4, along with the fee required in part 5600.2655.

C. Each prescription initiated by a physician assistant shall indicate the following:

(1) the date of issue;

- (2) the name and address of the patient;
- (3) the name and quantity of the drug prescribed;
- (4) directions for use; and

(5) the name, address, and telephone number of the prescribing physician assistant and of the physician serving as supervisor.

D. In prescribing and administering legend drugs and medical devices, a physician assistant must conform with the agreement, Minnesota Statutes, section 147.34 and chapter 151, and parts 5600.2600 to 5600.2670.

**Subp. 5. Notification of pharmacies.**

A. The board shall, within six months of adoption of parts 5600.2600 to 5600.2670 and annually thereafter, provide to the Board of Pharmacy and to registered pharmacies within the state a list of those physician assistants who are authorized to prescribe legend drugs and medical devices.

B. The board shall provide to the Board of Pharmacy a list of physician assistants authorized to prescribe legend drugs and medical devices every two months if additional physician assistants are authorized to prescribe or if physician assistants have authorization to prescribe withdrawn.

C. The list must include the name, address, telephone number, and Minnesota registration number of the physician assistant, and the name, address, telephone number, and Minnesota license number of the supervising physician.

D. The board shall provide the form in subpart 6 to pharmacies upon request.

**Subp. 6. Delegation form for physician assistant prescribing.** The delegation form for physician assistant prescribing must contain the following:

**DELEGATION FORM FOR PHYSICIAN ASSISTANT PRESCRIBING**

The below-named physician assistant may prescribe and administer drugs and medical devices as indicated on this form. This form is hereby made a part of the agreement as required by Minn. Stat. section 147.34 and Minn. Rules part 5600.2635, subpart 3, item D.

Physician Assistant	_____
Minn. Registration #	_____
Supervising Physician	_____
Minn. License #	_____

The physician assistant may prescribe from those categories checked in the following list:

Restrictions applicable to each category:

<b>A. Drugs*</b>	
01 ___ Anesthetics	01 _____
02 ___ Antiinfectives	02 _____
03 ___ Antineoplastics/Immuno-suppressants	03 _____
04 ___ Cardiovascular Medications	04 _____
05 ___ Autonomic and Central Nervous System Drugs	05 _____
06 ___ Dermatological Medications	06 _____
07 ___ Diagnostic Agents	07 _____
08 ___ Ear-Nose-Throat Medications	08 _____
09 ___ Endocrine Medications	09 _____

- |        |  |          |
|--------|--|----------|
| 10 ___ | Gastrointestinal Medications                           | 10 _____ |
| 11 ___ | Immunologicals and Vaccines                            | 11 _____ |
| 12 ___ | Musculoskeletal Medications                            | 12 _____ |
| 13 ___ | Nutritional Products, Blood Modifiers and Electrolytes | 13 _____ |
| 14 ___ | Obstetrical and Gynecological Medications              | 14 _____ |
| 15 ___ | Ophthalmic Medications                                 | 15 _____ |
| 16 ___ | Respiratory Medications                                | 16 _____ |
| 17 ___ | Urological Medications                                 | 17 _____ |
| B. ___ | Medical Devices  | B. _____ |

Physician assistants may not prescribe controlled substances regulated under Minn. Stat. Chapter 152. Other specific drugs or medical devices which the physician assistant may not prescribe include:

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Supervising Physician  
(sign)

\_\_\_\_\_  
Physician Assistant  
(sign)

\_\_\_\_\_  
(type name/date)

\_\_\_\_\_  
(type name/date)

\_\_\_\_\_  
address

\_\_\_\_\_  
address

telephone # \_\_\_\_\_

telephone # \_\_\_\_\_

1. \_\_\_\_\_  
Alternate Supervising  
Physician  
\_\_\_\_\_  
(type name/date)

7. \_\_\_\_\_  
Alternate Supervising  
Physician  
\_\_\_\_\_  
(type name/date)

2. \_\_\_\_\_  
Alternate Supervising  
Physician  
\_\_\_\_\_  
(type name/date)

8. \_\_\_\_\_  
Alternate Supervising  
Physician  
\_\_\_\_\_  
(type name/date)

3. \_\_\_\_\_  
Alternate Supervising  
Physician  
\_\_\_\_\_  
(type name/date)

9. \_\_\_\_\_  
Alternate Supervising  
Physician  
\_\_\_\_\_  
(type name/date)

4. \_\_\_\_\_  
Alternate Supervising  
Physician  
\_\_\_\_\_  
(type name/date)

10. \_\_\_\_\_  
Alternate Supervising  
Physician  
\_\_\_\_\_  
(type name/date)

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5. \_\_\_\_\_  
Alternate Supervising  
Physician  
\_\_\_\_\_  
(type name/date)

11. \_\_\_\_\_  
Alternate Supervising  
Physician  
\_\_\_\_\_  
(type name/date)

6. \_\_\_\_\_  
Alternate Supervising  
Physician  
\_\_\_\_\_  
(type name/date)

12. \_\_\_\_\_  
Alternate Supervising  
Physician  
\_\_\_\_\_  
(type name/date)

\* The listed drug categories are based upon the chapter heading used in the Physicians Health Plan Drug Formulary:

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**Statutory Authority:** *MS s 147 34*

**History:** *16 SR 1996*