

FINAL BILL REPORT

HB 1722

C 263 L 07

Synopsis as Enacted

Brief Description: Clarifying the authority of physician assistants to execute certain certificates and other forms for labor and industries.

Sponsors: By Representatives Conway, Curtis, Moeller, Darneille, Wood and Simpson.

House Committee on Commerce & Labor

Senate Committee on Health & Long-Term Care

Background:

Industrial Insurance.

A worker who, in the course of employment, is injured or suffers disability from an occupational disease may be entitled to benefits under the Industrial Insurance Act. These benefits include proper and necessary medical and surgical services from a physician of the worker's choice. Benefits solely for medical treatment are considered "non-compensable," while benefits for time-loss, permanent injury, or death are considered "compensable."

To qualify for benefits, an injured worker is required to file an application for benefits with the Department of Labor and Industries (L&I) or his or her self-insured employer. The application must be accompanied by a certificate of the attending physician. The rules specify that the injured worker and attending physician must file a report of accident upon the determination that the injury or disability is work-related. The report must include the signed findings of the attending physician.

Physician Assistants.

Physician assistants (PAs) are licensed by the Department of Health (DOH) to practice medicine or osteopathic medicine to a limited extent under the supervision of a licensed physician or osteopathic physician respectively. A PA may practice medicine only after the Medical Quality Assurance Commission approves a practice arrangement plan jointly submitted by the PA and a physician or physician group. The practice arrangement plan must delineate the manner and extent to which the PA practices and is supervised.

Under rules adopted by the DOH, a certified PA may sign and attest to any document that might ordinarily be signed by a licensed physician. The PA and the sponsoring physician are required to ensure that appropriate consultation and review of work are provided.

Physician Assistants and Industrial Insurance.

Rules adopted by the L&I require PAs to obtain advance approval from the L&I prior to treating industrial injury cases. The rules also limit the industrial insurance services that PAs

may provide. A PA may fill out accident and other reports, but generally the reports must be signed by a physician.

In 2004 the Legislature expanded the authority of PAs under the Industrial Insurance Act. Until July 1, 2007, PAs may assist workers applying for compensation for simple industrial injuries. A PA may complete and have the sole signature on the report of accident for these claims.

Under rule, a simple industrial injury includes:

- no time lost from work after the date of injury; and
- a simple industrial injury limited to an insect bite, abrasion, contusion, laceration, blister, foreign body, open wound, sprain, strain, closed fracture, simple burn, or probable exposure to bloodborne pathogen due to a needlestick.

Under the provisions enacted in 2004, PAs are prohibited from rating a worker's permanent partial disability or determining a worker's entitlement to compensation.

The L&I reported to the House Commerce and Labor Committee on December 1, 2006, on the implementation of these provisions, including the effects on injured worker outcomes, claim costs, and disputed claims. The report generally indicated that implementation of the 2004 law was not associated with any negative impact on medical costs or disputes and appeared to positively affect provider enrollment, availability of authorized reporting providers in rural areas, and some measures of administrative efficiency.

Summary:

Physician Assistants (PAs) are granted permanent authority to sign any certificate, card, form, or other documentation required by the L&I that the PA's supervising physician or physicians may sign. The PA must act within the PA's scope of practice and consistent with the PA's practice arrangement plan.

A PA's authority includes signing an application for compensation, but does not include rating a permanent partial disability.

The L&I must report to the Legislature by December 1, 2008, on implementation, including the effect on injured worker outcomes, claim costs, and disputed claims.

Votes on Final Passage:

House	96	0	
Senate	49	0	(Senate amended)
House	98	0	(House concurred)

Effective: July 1, 2007