

HOUSE BILL REPORT

HB 1966

As Amended by the Senate

Title: An act relating to physician assistants signing and attesting to documents.

Brief Description: Clarifying the authority of physician assistants to sign and attest to documents.

Sponsors: By Representatives Curtis, Cody, Skinner, Morrell, Green, Barlow, Darneille, Ormsby and Schual-Berke.

Brief History:

Committee Activity:

Health Care & Wellness: 2/13/07, 2/15/07 [DP].

Floor Activity:

Passed House: 2/28/07, 97-0.

Senate Amended.

Passed Senate: 4/9/07, 46-0.

Brief Summary of Bill

- Gives express authority for physician assistants (PA) to sign any documentation that the PA's supervising physician may sign, as long as the signing is within the PA's scope of practice and consistent with the PA's practice arrangement plan.

HOUSE COMMITTEE ON HEALTH CARE & WELLNESS

Majority Report: Do pass. Signed by 11 members: Representatives Cody, Chair; Morrell, Vice Chair; Hinkle, Ranking Minority Member; Alexander, Assistant Ranking Minority Member; Barlow, Condotta, Green, Moeller, Pedersen, Schual-Berke and Seaquist.

Staff: Chris Cordes (786-7103).

Background:

Physician Assistants

Licensure. Physician assistants (PAs) are licensed by the Department of Health (DOH) to practice medicine or osteopathic medicine to a limited extent only under the supervision of a

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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 would practice and be supervised.

Authority to Sign Documents. 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, such as birth and death certificates. The PA and the sponsoring physician are required to ensure that appropriate consultation and review of work are provided.

Other rules of the DOH provide for specific certifications by PAs, such as excuses from immunization and medical documentation to allow certain food employees with gastrointestinal illness to work. Department of Social and Health Services rules also address various specific circumstances when PAs may sign required documents.

Physician Assistants under the Industrial Insurance Act

Injured Worker's Attending Physician. A worker who, in the course of employment, is injured or suffers disability from an occupational disease may be entitled to benefits under the Washington Industrial Insurance Act. These benefits include proper and necessary medical and surgical services from a physician of the worker's choice. A worker may be eligible for partial wage replacement benefits (time loss) if certified by the attending physician as temporarily unable to work.

To obtain benefits, an injured worker is required to file an application with the Department of Labor and Industries (DLI) or his or her self-insured employer, accompanied by a certificate of the attending physician. The DLI 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.

The DLI rules allow PAs to fill out accident reports and time loss certifications, but only for the supervising physician's signature. The rules also require PAs to obtain advance approval from the DLI prior to treating industrial injury cases.

Temporary Expanded PA Authority. In legislation enacted in 2004, PAs are allowed until July 1, 2007, to assist workers applying for compensation for simple industrial injuries. The PAs may complete, and be the sole signature, on the report of accident for these claims. The PAs are prohibited from rating a worker's permanent partial disability or determining a worker's entitlement to compensation.

Under DLI rule, a simple industrial injury includes:

- no time lost from work after the date of injury; and
- injuries 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.

Report to the Legislature. As required under the 2004 law, the DLI reported on the implementation of the law's 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 of Bill:

Stated legislative findings include that PAs have authority to practice medicine under certain supervision not requiring the personal presence of the supervising physician, that PAs can safely improve the efficiency of the health care delivery system by freeing up additional time for physicians to care for patients and increasing the availability of health care to rural or underserved populations, and that some state agencies and departments do not accept the signature of PAs on certain documents, even though the signing is within the PA's scope of practice and permitted pursuant to rules of the DOH.

It is the stated intent of the Legislature to clarify the DOH rule in statute regarding when a PA is allowed to sign and attest to a document that might ordinarily be signed by the supervising physician.

In their licensure statutes, PAs are granted express authority to sign any certificate or other documentation that the PA's supervising physician or physicians may sign. Such signing must be within the PA's scope of practice and be consistent with the PA's practice arrangement plan.

EFFECT OF SENATE AMENDMENT(S):

The Senate amendment deletes provisions in the intent section describing physician assistants' authority to practice medicine under the supervision of a licensed physician and stating that physician assistants improve the efficiency of the health care delivery system, especially to rural or underserved populations.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony:

(In support) This issue became noticed in a disabled parking permit case when the Department of Licensing refused to recognize the Department of Health rule that permits physician assistants to sign documents that physicians can sign. Authority to sign documents

varies from document to document and agency to agency. It is very frustrating to patients who do not understand why their physician assistant cannot help them with the document. It does not make sense to ask for legislation for each document that needs signing. This bill does not raise a scope of practice issue. Physician assistants may only sign documents that are listed by their practice plan.

(Opposed) None.

Persons Testifying: Carl Nelson, Washington State Medical Association and Washington Academy of Physician Assistants; and Monica Larson and Linda Dale, Washington Academy of Physician Assistants.

Persons Signed In To Testify But Not Testifying: None.