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**Commerce & Labor Committee**

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**HB 1722**

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

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

**Brief Summary of Bill**

- Modifies the authority of physician assistants (PAs) under the Industrial Insurance Act to allow PAs to sign any certificate, card, form, or other documentation that the PA's supervising physician or physicians may sign.
- Does not allow a PA to rate a permanent partial disability.

**Hearing Date:** 2/8/07

**Staff:** Sarah Beznoska (786-7109).

**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 (Department) or his or her self-insured employer. The application must be accompanied by a certificate of the attending physician. Department 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.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

## Physician Assistants

Physician assistants (PAs) are licensed by the Department of Health 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 Department of Health, 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 Department of Labor and Industries (Department) require PAs to obtain advance approval from the Department prior to treating industrial injury cases. The rules also limit the industrial insurance services that PAs may provide. PAs 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. PA's may complete and have sole signature on the report of accident for these claims.

Under Department 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 Department 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 of Bill:**

### Intent

The intent section states that, under current law, PAs have authority to practice medicine under the supervision and control of a licensed physician and pursuant to the terms of a practice arrangement plan, but this does not require the personal presence of the supervising physician at the place where services are rendered. In addition, the intent section states that PAs working under the supervision of a physician and pursuant to a practice arrangement plan 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.

The intent section also states that some state agencies and departments do not accept the signature of PAs on certain certificates, reports, and other documents that their supervising physician is permitted to sign, even though the signing of these documents is within the PA's scope of practice, covered under the practice arrangement plan, and permitted pursuant to rules of the Department of Health.

It is the intent of the Legislature to clarify the Department of Health's rules in statute and allow a PA to sign and attest to any document that might ordinarily be signed by the supervising physician, consistent with the terms of the practice arrangement plan.

#### Physician Assistants and Industrial Insurance

PAs are granted permanent authority to sign any certificate, card, form, or other documentation required by the Department 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 under this provision includes signing an application for compensation, but does not include rating a permanent partial disability.

**Rules Authority:** The bill does not address the rule making authority of an agency.

**Appropriation:** None.

**Fiscal Note:** Available.

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