

## CHAPTER 36

## (HB 458)

AN ACT relating to physician assistants.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

➔Section 1. KRS 311.860 is amended to read as follows:

- (1) (a) *As used in this section nonseparate locations shall include the following if the supervising physician is available in person or via telecommunication at all times:*
1. *Hospitals in which patients of the supervising physician are receiving care, subject to the rules and regulations of the governing body of the hospital;*
  2. *Nursing homes in which the supervising physician has patient care responsibilities, subject to the rules and regulations of the governing body of the nursing home;*
  3. *The homes of patients of the supervising physician if the home visits are related to patient care; and*
  4. *School health fairs, wellness clinics, or similar events where the supervising physician is responsible for providing oversight.*
- (b) *The board in its discretion may modify, decrease or waive the requirements of paragraph (a) of this subsection.*
- (2) A supervising physician who uses the services of a physician assistant in an office or clinic separate from the physician's primary office shall submit for board approval a specific written request that describes the services to be provided by the physician assistant in the separate office or clinic, the distance between the primary office and the separate location, and the means and availability of direct communication at all times with the supervising physician.
- ~~(3)(2)~~ A *newly graduated* physician assistant shall not practice medicine or osteopathy in *a location* ~~[an office, clinic, or]~~ separate from the supervising physician *until* ~~[unless]~~ the physician assistant has *eighteen (18)* ~~[two (2)]~~ continuous *months* ~~[years]~~ of experience in a *nonseparate* ~~[non-separate]~~ location. The board in its discretion may modify or waive the requirements of this subsection.
- ~~[(3) Except as provided by KRS 311.862, a physician assistant may perform services when the supervising physician is not physically present in the supervising physician's office or clinic when a reliable means of direct communication with the supervising physician is available at all times.]~~
- (4) Except as provided by KRS 311.862, *a physician assistant may perform services in a location separate from the supervising physician if the supervising physician is continuously available via telecommunication and the following are met:*
- (a) *The requirements of subsection (2) of this section have been met; or*
  - (b) *A waiver has been granted by the board* ~~[a physician assistant may perform services when the supervising physician is not physically present in a hospital or other licensed health care facility when a reliable means of direct communication with the supervising physician is available at all times and the hospital or facility has given specific approval for the provision of physician assistant services without the physical presence of the supervising physician].~~

Signed by Governor April 9, 2008.