

1 AN ACT relating to prescriptive authority for physician assistants.

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

3 ➔Section 1. KRS 311.856 is amended to read as follows:

4 A supervising physician shall:

- 5 (1) Restrict the services of a physician assistant to services within the physician  
6 assistant's scope of practice and to the provisions of KRS 311.840 to 311.862;
- 7 ~~(2) Prohibit a physician assistant from prescribing or dispensing controlled substances;~~  
8 ~~(3) Inform all patients in contact with a physician assistant of the status of the~~  
9 ~~physician assistant;~~
- 10 ~~(3)~~~~(4)~~ Post a notice stating that a physician assistant practices medicine or  
11 osteopathy in all locations where the physician assistant may practice;
- 12 ~~(4)~~~~(5)~~ Require a physician assistant to wear identification that clearly states that he  
13 or she is a physician assistant;
- 14 ~~(5)~~~~(6)~~ Prohibit a physician assistant from independently billing any patient or other  
15 payor for services rendered by the physician assistant;
- 16 ~~(6)~~~~(7)~~ If necessary, participate with the governing body of any hospital or other  
17 licensed health care facility in a credentialing process established by the facility;
- 18 ~~(7)~~~~(8)~~ Not require a physician assistant to perform services or other acts that the  
19 physician assistant feels incapable of carrying out safely and properly;
- 20 ~~(8)~~~~(9)~~ Maintain adequate, active, and continuous supervision of a physician  
21 assistant's activities to assure that the physician assistant is performing as directed  
22 and complying with the requirements of KRS 311.840 to 311.862 and all related  
23 administrative regulations;
- 24 ~~(9)~~~~(10)~~ Review and countersign a sufficient number of overall medical notes written  
25 by the physician assistant to ensure quality of care provided by the physician  
26 assistant and outline the specific parameters for review of countersignatures in the  
27 application required by KRS 311.854. Countersignature requirements shall be

1 determined by the supervising physician, practice, or institution. As used in this  
2 subsection:

3 (a) "Practice" means a medical practice composed of two (2) or more physicians  
4 organized to provide patient care services, regardless of its legal form or  
5 ownership; and

6 (b) "Institution" means all or part of any public or private facility, place, building,  
7 or agency, whether organized for profit or not, that is used, operated, or  
8 designed to provide medical diagnosis, treatment, nursing, rehabilitative, or  
9 preventive care;

10 ~~(10)~~~~(11)~~ (a) Reevaluate the reliability, accountability, and professional knowledge of  
11 a physician assistant two (2) years after the physician assistant's original  
12 licensure in this Commonwealth and every two (2) years thereafter; and

13 (b) Based on the reevaluation, recommend approval or disapproval of licensure or  
14 renewal to the board; and

15 ~~(11)~~~~(12)~~ Notify the board within three (3) business days if the supervising physician:

16 (a) Ceases to supervise or employ the physician assistant; or

17 (b) Believes in good faith that a physician assistant violated any disciplinary rule  
18 of KRS 311.840 to 311.862 or related administrative regulations.

19 ➔Section 2. KRS 311.858 is amended to read as follows:

20 (1) A physician assistant may perform medical services and procedures within the  
21 scope of medical services and procedures described in the initial or any  
22 supplemental application received by the board under KRS 311.854.

23 (2) A physician assistant shall be considered an agent of the supervising physician in  
24 performing medical services and procedures described in the initial application or  
25 any supplemental application received by the board under KRS 311.854.

26 (3) A physician assistant may initiate evaluation and treatment in emergency situations  
27 without specific approval.

- 1 (4) A physician assistant may prescribe and administer all ***controlled and*** nonscheduled  
2 legend drugs and medical devices as delegated by the supervising physician. A  
3 physician assistant who is delegated prescribing authority may request, receive, and  
4 distribute professional sample drugs to patients.
- 5 (5) A physician assistant shall not submit direct billing for medical services and  
6 procedures performed by the physician assistant.
- 7 (6) A physician assistant may perform local infiltrative anesthesia under the provisions  
8 of subsection (1) of this section, but a physician assistant shall not administer or  
9 monitor general or regional anesthesia unless the requirements of KRS 311.862 are  
10 met.
- 11 (7) A physician assistant may perform services in the offices or clinics of the  
12 supervising physician. A physician assistant may also render services in hospitals or  
13 other licensed health care facilities only with written permission of the facility's  
14 governing body, and the facility may restrict the physician assistant's scope of  
15 practice within the facility as deemed appropriate by the facility.
- 16 (8) A physician assistant shall not practice medicine or osteopathy independently. Each  
17 physician assistant shall practice under supervision as defined in KRS 311.840.