

**HOUSE . . . . . No. 2135**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Christine P. Barber***

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*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to removing barriers to care for physician assistants.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Christine P. Barber</i>	<i>34th Middlesex</i>	<i>1/17/2023</i>
<i>Brian W. Murray</i>	<i>10th Worcester</i>	<i>1/29/2023</i>
<i>Vanna Howard</i>	<i>17th Middlesex</i>	<i>2/1/2023</i>
<i>Tricia Farley-Bouvier</i>	<i>2nd Berkshire</i>	<i>2/9/2023</i>
<i>Samantha Montaño</i>	<i>15th Suffolk</i>	<i>3/13/2023</i>
<i>Adrian C. Madaro</i>	<i>1st Suffolk</i>	<i>3/13/2023</i>
<i>Joseph W. McGonagle, Jr.</i>	<i>28th Middlesex</i>	<i>4/6/2023</i>
<i>Mike Connolly</i>	<i>26th Middlesex</i>	<i>4/6/2023</i>
<i>Erika Uyterhoeven</i>	<i>27th Middlesex</i>	<i>4/25/2023</i>
<i>Carmine Lawrence Gentile</i>	<i>13th Middlesex</i>	<i>1/31/2024</i>
<i>Michael P. Kushmerek</i>	<i>3rd Worcester</i>	<i>2/2/2024</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>	<i>2/6/2024</i>

**HOUSE . . . . . No. 2135**

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By Representative Barber of Somerville, a petition (accompanied by bill, House, No. 2135) of Christine P. Barber and others relative to the licensing, supervision and scope of practice of physicians assistants. Public Health.

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**The Commonwealth of Massachusetts**

\_\_\_\_\_  
**In the One Hundred and Ninety-Third General Court  
(2023-2024)**  
\_\_\_\_\_

An Act relative to removing barriers to care for physician assistants.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1           SECTION 1. Chapter 94C of the General Laws, as appearing in the 2020 Official  
2 Edition, is hereby amended in section 7 by striking in section (g) the following, “pursuant to  
3 guidelines mutually developed and agreed upon by the supervising physician and the physician  
4 assistant,” and by further striking in the second sentence the following, “the board of registration  
5 in medicine”

6           SECTION 2. Chapter 112 of the General Laws, as appearing in the 2020 Official Edition,  
7 is hereby amended in section 9E by striking in line 2 the following: “when such services are  
8 rendered under the supervision of a registered physician. Such supervision shall be continuous  
9 but shall not require the personal presence of the supervising physician or physicians.” and  
10 inserting instead thereof, “...when such services are within the education, training and  
11 experience of the physician assistant and which the physician assistant is competent to perform.”

12 SECTION 3. Said Chapter 112 of the General Laws, as appearing in the 2018 Official  
13 Edition, is hereby further amended in section 9E by striking in the second paragraph the  
14 following: “as determined by a supervising physician” and further striking from the same  
15 paragraph the following: “...in assisting physicians in private practice, in group practices or in  
16 health care facilities, consistent with any applicable bylaws and policies of such facilities.”

17 SECTION 4. Said Chapter 112 of the General Laws, as appearing in the 2020 Official  
18 Edition, is hereby further amended in section 9E by striking in the fourth and fifth paragraph the  
19 following: “If a physician assistant is employed by a physician or group of physicians, the  
20 assistant shall be supervised by and shall be the legal responsibility of the employing physician  
21 or physicians. The legal responsibility of such assistant shall remain that of the employing  
22 physician or physicians at all times including occasions when the assistant, under the direction  
23 and supervision of the employing physician or physicians, aids in the care and treatment of  
24 patients in health care facilities.”

25 If a physician assistant is employed by a health care facility, the legal responsibility for  
26 his actions and omissions shall be that of the employing facility. Such physician assistants shall  
27 be supervised by registered physicians. Such physician assistants employed by health care  
28 facilities shall not be utilized as the sole medical personnel in charge of emergency or outpatient  
29 services or any other clinical service where a physician is not regularly available.” and inserting  
30 instead thereof the following, ““The legal responsibility of the physician assistant shall remain  
31 that of the individual physician assistant, employing physician, group of physicians, or  
32 healthcare facility as part of the healthcare team responsible for the care and treatment of the  
33 patient”

34 SECTION 5. Said Chapter 112 of the General Laws, as appearing in the 2020 Official  
35 Edition, is hereby further amended in section 9E by adding the following paragraphs: “A  
36 Physician Assistant must practice for at least 2,000 hours, within the context of a collaborative  
37 agreement, within a hospital or integrated clinical setting where physician assistants and  
38 physicians work together to provide patient care. The physician assistant shall submit written  
39 evidence to the board with the application, or upon completion of the required collaborative  
40 practice experience. A collaborative agreement is a mutually agreed upon plan for the overall  
41 working relationship between the physician assistant and one or more physicians that designates  
42 the scope of collaboration necessary to manage the care of patients. The physician assistant and  
43 collaborating physician(s) must have experience in providing care to patients with the same or  
44 similar medical problems. Nothing in this section shall allow a physician assistant to open their  
45 own practice and practice independently. Notwithstanding any other provisions of law, a  
46 physician assistant may bill separately for services rendered.”

47 SECTION 6. Said Chapter 112 of the General Laws, as appearing in the 2020 Official  
48 Edition, is hereby amended in section 9F by striking in the third paragraph the following: “in  
49 consultation with the board of registration in medicine, and consistent with the authority of the  
50 board of registration in medicine over the supervising physician and the practice of medicine”

51 SECTION 7. Said Chapter 112 of the General Laws, as appearing in the 2020 Official  
52 Edition, is hereby amended in section 9I by striking in the third paragraph the following: “and  
53 the name and address of any supervising physician.”

54           SECTION 8. Said Chapter 112 of the General Laws, as appearing in the 2020 Official  
55 Edition, is hereby further amended in section 9I by striking in the fourth paragraph the following:  
56 “change of supervising physician.”

57           SECTION 9. Said Chapter 112 of the General Laws, as appearing in the 2020 Official  
58 Edition, is hereby amended in section 12B by striking in line 3 the following: “or supervising”