

SENATE No. 740

The Commonwealth of Massachusetts

PRESENTED BY:

Harriette L. Chandler

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:	
<i>Harriette L. Chandler</i>	<i>First Worcester</i>	
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>3/2/2021</i>
<i>Patrick M. O'Connor</i>	<i>Plymouth and Norfolk</i>	<i>3/3/2021</i>
<i>Joan B. Lovely</i>	<i>Second Essex</i>	<i>3/4/2021</i>
<i>John Barrett, III</i>	<i>1st Berkshire</i>	<i>3/8/2021</i>
<i>Anne M. Gobi</i>	<i>Worcester, Hampden, Hampshire and Middlesex</i>	<i>3/11/2021</i>
<i>Brendan P. Crighton</i>	<i>Third Essex</i>	<i>3/17/2021</i>

SENATE No. 740

By Ms. Chandler, a petition (accompanied by bill, Senate, No. 740) of Harriette L. Chandler, James B. Eldridge, Patrick M. O'Connor, Joan B. Lovely and other members of the General Court for legislation to remove barriers to care for physician assistants. Health Care Financing.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

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 2018 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 2018 Official
7 Edition, is hereby amended in section 9E by striking in line 2 the following: “when such services
8 are rendered under the supervision of a registered physician. Such supervision shall be
9 continuous but shall not require the personal presence of the supervising physician or
10 physicians.” and inserting instead thereof, “...when such services are within the education,
11 training and experience of the physician assistant and which the physician assistant is competent
12 to perform.”

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

18 SECTION 4. Said Chapter 112 of the General Laws, as appearing in the 2018 Official
19 Edition, is hereby further amended in section 9E by striking in the fourth and fifth paragraph the
20 following: “If a physician assistant is employed by a physician or group of physicians, the
21 assistant shall be supervised by and shall be the legal responsibility of the employing physician
22 or physicians. The legal responsibility of such assistant shall remain that of the employing
23 physician or physicians at all times including occasions when the assistant, under the direction
24 and supervision of the employing physician or physicians, aids in the care and treatment of
25 patients in health care facilities.”

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

35 SECTION 5. Said Chapter 112 of the General Laws, as appearing in the 2018 Official
36 Edition, is hereby further amended in section 9E by adding the following paragraphs: “A
37 Physician Assistant must practice for at least 2,000 hours, within the context of a collaborative
38 agreement, within a hospital or integrated clinical setting where physician assistants and
39 physicians work together to provide patient care. The physician assistant shall submit written
40 evidence to the board with the application, or upon completion of the required collaborative
41 practice experience. A collaborative agreement is a mutually agreed upon plan for the overall
42 working relationship between the physician assistant and one or more physicians that designates
43 the scope of collaboration necessary to manage the care of patients. The physician assistant and
44 collaborating physician(s) must have experience in providing care to patients with the same or
45 similar medical problems. Nothing in this section shall allow a physician assistant to open their
46 own practice and practice independently.”

47 SECTION 6. Said Chapter 112 of the General Laws, as appearing in the 2018 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 8. Said Chapter 112 of the General Laws, as appearing in the 2018 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 9. Said Chapter 112 of the General Laws, as appearing in the 2018 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 10. Said Chapter 112 of the General Laws, as appearing in the 2018 Official
58 Edition, is hereby amended in section 12B by striking in line 3 the following: “or supervising”

59 SECTION 11. Chapter 112 of the General Laws, as appearing in the 2018 Official
60 Edition, is hereby amended in section 9E by adding the following paragraph: “Notwithstanding
61 any other provisions of law, a physician assistant may bill separately for services rendered.”