

SENATE No. 1354

The Commonwealth of Massachusetts

PRESENTED BY:

Julian Cyr

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>Julian Cyr</i>	<i>Cape and Islands</i>	
<i>Lydia Edwards</i>	<i>Third Suffolk</i>	<i>3/21/2023</i>
<i>Patrick M. O'Connor</i>	<i>First Plymouth and Norfolk</i>	<i>4/14/2023</i>
<i>Joan B. Lovely</i>	<i>Second Essex</i>	<i>4/14/2023</i>

SENATE No. 1354

By Mr. Cyr, a petition (accompanied by bill, Senate, No. 1354) of Julian Cyr for legislation to remove barriers to care for physician assistants. Public Health.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 740 OF 2021-2022.]

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”.