

# SENATE BILL REPORT

## EHB 1568

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As Reported By Senate Committee On:  
Commerce & Trade, April 3, 2003

**Title:** An act relating to physician assistants executing a certain certificate for labor and industries.

**Brief Description:** Modifying physician assistant provisions.

**Sponsors:** Representatives Darneille, Pflug, Cody, Campbell, Schual-Berke, Alexander and Skinner.

**Brief History:**

**Committee Activity:** Commerce & Trade: 4/2/03, 4/3/03 [DPA].

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### SENATE COMMITTEE ON COMMERCE & TRADE

**Majority Report:** Do pass as amended.

Signed by Senators Honeyford, Chair; Hewitt, Vice Chair; Franklin, Keiser and Mulliken.

**Staff:** Jennifer Ziegler (786-7316)

**Background:** A worker who, in the course of employment, is injured or suffers disability from an occupational disease is entitled to benefits under Washington's industrial insurance law. These benefits include proper and necessary medical and surgical services from a physician of the worker's choice.

To qualify for benefits, an injured worker is required to file an application for benefits with the Department of Labor and Industries or his or her self-insured employer. The application must be accompanied by a certificate of the attending physician. Department rules specify that the injured worker and attending physician must file a report of accident upon the determination that the injury or disability is work-related. The report must include the signed findings of an attending physician.

Physician assistants (PAs) are licensed to practice medicine or osteopathic medicine to a limited extent under the supervision of a licensed physician or osteopathic physician respectively. Department rules require PAs to obtain advance approval from the department prior to treating industrial injury cases. The rules also must limit the industrial insurance services that PAs may provide. Licensed PAs may fill out accident and other reports, but the reports must be signed by a physician.

**Summary of Amended Bill:** PAs may assist a worker in filling out an application for industrial insurance benefits when a worker has a simple industrial injury. PAs may not rate a worker's permanent partial disability, determine entitlement to death benefits, determine entitlement to permanent total disability, temporary total disability, partial restoration of earning power and return to work benefits.

The department must report to the Senate Commerce and Trade Committee and the House Commerce and Labor Committee by December 1, 2005. The report must include findings regarding the implementation of these provisions, including the effects on injured worker outcomes, claim costs, and disputed claims.

The PAs authority to execute physician certificates expires June 30, 2006.

**Amended Bill Compared to Original Bill:** The original bill authorized PAs to sign physician certificates for workers' compensation cases that only required medical benefits. The amendment authorizes PAs to assist an injured worker in completing an application for workers' compensation benefits in the case of simple industrial injuries.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill contains an emergency clause and takes effect on July 1, 2003.

**Testimony For:** PAs already treat injured workers and are permitted to fill out the accident report form. This bill just allows PAs to also sign the form. PAs provide critical assistance in rural area. PAs are able to sign comparable forms in other states. The Department of Health permits PAs to sign the same form that physicians sign, including birth and death certificates.

**Testimony Against:** (concerns) The sunset provision is necessary to determine the actual impact of the legislation. The critical concern pertains to the legal decisions that must be made during the treatment of injured workers. Treatment costs continue to increase even though the number of claims are decreasing. There are significantly higher treatment costs for workers' compensation injuries than for other comparable injuries.

**Testified:** Linda M. Dale, PA-C, Kenneth Wiscoms, Carl Nelson, WAPA (pro); Clif Finch, Amber Balch, AWB (concerns).