

SENATE BILL REPORT

HB 1966

As Reported By Senate Committee On:
Health & Long-Term Care, March 22, 2007

Title: An act relating to physician assistants signing and attesting to documents.

Brief Description: Clarifying the authority of physician assistants to sign and attest to documents.

Sponsors: Representatives Curtis, Cody, Skinner, Morrell, Green, Barlow, Darneille, Ormsby and Schual-Berke.

Brief History: Passed House: 2/28/07, 97-0.

Committee Activity: Health & Long-Term Care: 3/21/07, 3/22/07 [DPA].

SENATE COMMITTEE ON HEALTH & LONG-TERM CARE

Majority Report: Do pass as amended.

Signed by Senators Keiser, Chair; Franklin, Vice Chair; Pflug, Ranking Minority Member; Carrell, Fairley, Kastama, Kohl-Welles and Parlette.

Staff: Edith Rice (786-7444)

Background: Physician Assistants Licensure: Physician assistants (PAs) are licensed by the Department of Health (DOH) to practice medicine or osteopathic medicine to a limited extent only under the supervision of a licensed physician or osteopathic physician, respectively. A PA may practice medicine only after the Medical Quality Assurance Commission approves a practice arrangement plan jointly submitted by the PA and a physician or physician group. The practice arrangement plan must delineate the manner and extent to which the PA would practice and be supervised.

Authority to Sign Documents: Under rules adopted by the DOH, a certified PA may sign and attest to any document that might ordinarily be signed by a licensed physician, such as birth and death certificates. The PA and the sponsoring physician are required to ensure that appropriate consultation and review of work are provided.

Physician Assistants under the Industrial Insurance Act Injured Worker's Attending Physician: A worker who, in the course of employment, is injured or suffers disability from an occupational disease may be entitled to benefits under the Washington Industrial Insurance Act. These benefits include proper and necessary medical and surgical services from a physician of the worker's choice. A worker may be eligible for partial wage replacement benefits (time loss) if certified by the attending physician as temporarily unable to work.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

To obtain benefits, an injured worker is required to file an application with the Department of Labor and Industries (DOL) or his or her self-insured employer, accompanied by a certificate of the attending physician. The DOL 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 the attending physician. The DOL rules allow PAs to fill out accident reports and time loss certifications, but only for the supervising physician's signature. The rules also require PAs to obtain advance approval from the DOL prior to treating industrial injury cases.

Temporary Expanded PA Authority: In legislation enacted in 2004, PAs are allowed until July 1, 2007, to assist workers applying for compensation for simple industrial injuries. The PAs may complete, and be the sole signature, on the report of accident for these claims. The PAs are prohibited from rating a worker's permanent partial disability or determining a worker's entitlement to compensation.

Report to the Legislature: As required under the 2004 law, the DOL reported on the implementation of the law's provisions, including the effects on injured worker outcomes, claim costs, and disputed claims. The report generally indicated that implementation of the 2004 law was not associated with any negative impact on medical costs or disputes, and appeared to positively affect provider enrollment, availability of authorized reporting providers in rural areas, and some measures of administrative efficiency.

Summary of Bill: Stated legislative findings include that PAs have authority to practice medicine under certain supervision not requiring the personal presence of the supervising physician; that PAs can safely improve the efficiency of the health care delivery system by freeing up additional time for physicians to care for patients and increasing the availability of health care to rural or underserved populations; and that some state agencies and departments do not accept the signature of PAs on certain documents, even though the signing is within the PA's scope of practice and permitted pursuant to rules of the DOH.

It is the stated intent of the Legislature to clarify the DOH rule in statute regarding when a PA is allowed to sign and attest to a document that might ordinarily be signed by the supervising physician.

In their licensure statutes, PAs are granted express authority to sign any certificate or other documentation that the PA's supervising physician or physicians may sign. Such signing must be within the PA's scope of practice and be consistent with the PA's practice arrangement plan.

EFFECT OF CHANGES MADE BY RECOMMENDED AMENDMENT(S) AS PASSED COMMITTEE (Health & Long-Term Care): The first two subsections of intent language referring to PA's authority to practice with supervision and under a practice arrangement plan is removed.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: PAs already are seeing these patients and it takes additional time to get the physician signature, both for the PA and the doctor. This bill will save us valuable time. It will make it clear that this is in line with our practice. We are a resource that should be utilized. PAs are a resource that should be utilized.

OTHER: We are concerned about a potential conflict in the rule-making authority. We can make some technical suggestions; we would like to see an additional study done and change the effective date.

Persons Testifying: PRO: Carl Nelson, Kaye Kvam, Denise Grachalla, Arlene Martin, Washington Association of Physician Assistants.

OTHER: Vickie Kennedy, Labor and Industries.