

# SENATE . . . . . No. 740

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## 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

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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.

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## 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”

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

SECTION 6. Said Chapter 112 of the General Laws, as appearing in the 2018 Official Edition, is hereby amended in section 9F by striking in the third paragraph the following: “in consultation with the board of registration in medicine, and consistent with the authority of the board of registration in medicine over the supervising physician and the practice of medicine”

SECTION 8. Said Chapter 112 of the General Laws, as appearing in the 2018 Official Edition, is hereby amended in section 9I by striking in the third paragraph the following: “and the name and address of any supervising physician.”

SECTION 9. Said Chapter 112 of the General Laws, as appearing in the 2018 Official Edition, is hereby further amended in section 9I by striking in the fourth paragraph the following: “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.”