A BILL FOR

1 An Act relating to the practice of physician assistants without supervision by a physician.

2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
Section 1. Section 135.24, subsection 7, paragraph d, Code 2023, is amended to read as follows:

d. "Health care provider" means a physician licensed under chapter 148; a chiropractor licensed under chapter 151; a physical therapist licensed pursuant to chapter 148A; an occupational therapist licensed pursuant to chapter 148B; a podiatrist licensed pursuant to chapter 149; a physician assistant licensed and practicing under a supervising physician pursuant to chapter 148C; a licensed practical nurse, a registered nurse, or an advanced registered nurse practitioner licensed pursuant to chapter 152 or 152E; a respiratory therapist licensed pursuant to chapter 152B; a dentist, dental hygienist, or dental assistant registered or licensed to practice under chapter 153; an optometrist licensed pursuant to chapter 154; a psychologist licensed pursuant to chapter 154B; a social worker licensed pursuant to chapter 154C; a mental health counselor, marital and family therapist, behavior analyst, or assistant behavior analyst licensed pursuant to chapter 154D; a speech pathologist or audiologist licensed pursuant to chapter 154F; a pharmacist licensed pursuant to chapter 155A; or an emergency medical care provider certified pursuant to chapter 147A.

Sec. 2. Section 135G.1, subsection 8, Code 2023, is amended to read as follows:

8. "Physician assistant" means a person licensed to practice under the supervision of a physician as authorized in chapters 147 and chapter 148C.

Sec. 3. Section 135P.1, subsection 2, Code 2023, is amended to read as follows:

2. "Health care provider" means a physician or osteopathic physician licensed under chapter 148, a physician assistant licensed and practicing under a supervising physician pursuant to chapter 148C, a podiatrist licensed under chapter 149, a chiropractor licensed under chapter 151, a licensed practical nurse, a registered nurse, or an advanced registered nurse
practitioner licensed under chapter 152 or 152E, a dentist licensed under chapter 153, an optometrist licensed under chapter 154, a pharmacist licensed under chapter 155A, or any other person who is licensed, certified, or otherwise authorized or permitted by the law of this state to administer health care in the ordinary course of business or in the practice of a profession.

Sec. 4. Section 147.14, subsection 1, paragraph 1, Code 2023, is amended to read as follows:

1. For the board of physician assistants, five members licensed to practice as physician assistants, at least two of whom practice in counties with a population of less than fifty thousand, one member licensed to practice medicine and surgery who supervises collaborates with a physician assistant, one member licensed to practice osteopathic medicine and surgery who supervises collaborates with a physician assistant, and two members who are not licensed to practice either medicine and surgery or osteopathic medicine and surgery or licensed as a physician assistant and who shall represent the general public. At least one of the physician or osteopathic physician members shall be in practice in a county with a population of less than fifty thousand.

Sec. 5. Section 147.107, subsection 4, Code 2023, is amended to read as follows:

4. A Notwithstanding subsection 1 and any other provision of this section to the contrary, a physician assistant may prescribe, dispense, order, administer, or procure prescription drugs, controlled substances, or medical devices necessary to complete a course of therapy pursuant to section 148C.4. Rules relating to the authority of physician assistants to prescribe drugs, controlled substances, and medical devices pursuant to this subsection shall be adopted by the board of physician assistants after consultation with the board of medicine and board of pharmacy.

Sec. 6. Section 147.107, subsections 5 and 6, Code 2023, are
amended by striking the subsections.

Sec. 7. Section 147.136A, subsection 1, paragraph a, Code 2023, is amended to read as follows:

a. "Health care provider" means a hospital as defined in section 135B.1, a health care facility as defined in section 135C.1, a health facility as defined in section 135P.1, a physician or an osteopathic physician licensed under chapter 148, a physician assistant licensed and practicing under a supervising physician under chapter 148C, a podiatrist licensed under chapter 149, a chiropractor licensed under chapter 151, a licensed practical nurse, a registered nurse, or an advanced registered nurse practitioner licensed under chapter 152 or chapter 152E, a dentist licensed under chapter 153, an optometrist licensed under chapter 154, a pharmacist licensed under chapter 155A, a professional corporation under chapter 496C that is owned by persons licensed to practice a profession listed in this paragraph, or any other person or entity who is licensed, certified, or otherwise authorized or permitted by the law of this state to administer health care in the ordinary course of business or in the practice of a profession.

Sec. 8. Section 147A.10, subsection 3, Code 2023, is amended to read as follows:

3. An act of commission or omission of any appropriately certified emergency medical care provider, registered nurse, licensed practical nurse, or physician assistant, while rendering emergency medical care under the responsible supervision and control of a physician to a person who is deemed by them to be in immediate danger of serious injury or loss of life, shall not impose any liability upon the certified emergency medical care provider, registered nurse, licensed practical nurse, or physician assistant, the supervising physician, physician designee, advanced registered nurse practitioner, or any hospital, or upon the state, or any county, city or other political subdivision, or the employees of any of these entities; provided that this section shall not
relieve any person of liability for civil damages for any act of commission or omission which constitutes recklessness.

Sec. 9. Section 148C.1, subsections 5 and 8, Code 2023, are amended by striking the subsections.

Sec. 10. Section 148C.1, subsection 6, Code 2023, is amended to read as follows:

6. "Physician" means a person who is currently licensed in Iowa to practice medicine and surgery or osteopathic medicine and surgery. Notwithstanding this subsection, a physician supervising a physician assistant practicing in a federal facility or under federal authority shall not be required to obtain licensure beyond licensure requirements mandated by the federal government for supervising physicians.

Sec. 11. Section 148C.3, subsection 2, Code 2023, is amended by striking the subsection.

Sec. 12. Section 148C.4, subsections 2 and 3, Code 2023, are amended to read as follows:

2. a. Notwithstanding subsection 1, a physician assistant licensed pursuant to this chapter or authorized to practice in any other state or federal jurisdiction who voluntarily and gratuitously, and other than in the ordinary course of the physician assistant’s employment or practice, responds to a need for medical care created by an emergency or a state or local disaster may render such care that the physician assistant is able to provide without supervision as described in this section or with such supervision as is available.

b. A physician who supervises a physician assistant providing medical care pursuant to this subsection shall not be required to meet the requirements of rules adopted pursuant to section 148C.3, subsection 2, relating to supervision by physicians. A physician providing physician assistant supervision pursuant to this subsection or a physician assistant, who voluntarily and gratuitously, and other than in the ordinary course of the physician assistant’s employment or practice, responds to a need for medical care created by an
1 emergency or a state or local disaster shall not be subject
to criminal liability by reason of having issued or executed
the orders for provided such care, and shall not be liable for
civil damages for acts or omissions relating to the issuance or
execution of the orders such care unless the acts or omissions
constitute recklessness.
3. The degree of collaboration between a physician
assistant and the appropriate member of a health care team
shall be determined at the practice level, and may involve
decisions made by the medical group, hospital service,
supervising physician, or employer of the physician assistant,
or the credentialing and privileging system of a licensed
health care facility. A physician shall be accessible at all
times for consultation with a physician assistant unless the
physician assistant is providing emergency medical services
pursuant to 645-IAC-327.1(1)(n). The supervising physician
shall have ultimate responsibility for determining the medical
care provided by the supervising physician-physician assistant
team. A physician assistant shall be responsible for the
services performed by the physician assistant.
Sec. 13. Section 148F.7, Code 2023, is amended to read as
follows:
148F.7 Limitation on provision of care and services.
A licensed orthotist, prosthetist, or pedorthist may provide
care or services only if the care or services are provided
pursuant to an order from a licensed physician, a licensed
podiatric physician, an advanced registered nurse practitioner
licensed pursuant to chapter 152 or 152E, or a physician
assistant who has been delegated the authority to order the
services of an orthotist, prosthetist, or pedorthist by the
assistant’s supervising physician licensed under chapter 148C.
Sec. 14. Section 154F.2, subsection 1, paragraph a, Code
2023, is amended to read as follows:
a. Licensed physicians and surgeons, licensed osteopathic
physicians and surgeons, and licensed physician assistants,
and registered nurses acting under the supervision of a physician or osteopathic physician, persons conducting hearing tests under the direct supervision of a licensed physician and surgeon or licensed osteopathic physician and surgeon, or students of medicine or surgery or osteopathic medicine and surgery pursuing a course of study in a medical school or college of osteopathic medicine and surgery approved by the board of medicine while performing functions incidental to their course of study.

Sec. 15. Section 225C.6, subsection 4, paragraph c, subparagraph (1), Code 2023, is amended to read as follows:

(1) A comprehensive set of wraparound services for persons who have had or are at imminent risk of having acute or crisis mental health symptoms that do not permit the persons to remain in or threatens removal of the persons from their home and community, but who have been determined by a mental health professional and a licensed health care professional, subject to the professional's scope of practice, not to need inpatient acute hospital services. For the purposes of this subparagraph, "mental health professional" means the same as defined in section 228.1 and "licensed health care professional" means a person licensed under chapter 148 to practice medicine and surgery or osteopathic medicine and surgery, an advanced registered nurse practitioner licensed under chapter 152 or 152E, or a physician assistant licensed to practice under the supervision of a physician as authorized in chapters 147 and 148C.

Sec. 16. Section 280.16, subsection 1, paragraph d, Code 2023, is amended to read as follows:

d. "Licensed health care professional" means a person licensed under chapter 148 to practice medicine and surgery or osteopathic medicine and surgery, an advanced registered nurse practitioner licensed under chapter 152 or 152E and registered with the board of nursing, or a physician assistant licensed to practice under the supervision of a physician as authorized in
Sec. 17. Section 489.1102, subsection 2, paragraph b, Code 2023, is amended to read as follows:

b. Nothing in this section shall be construed to expand the scope of practice of a physician assistant or modify the requirement in section 148C.4 that a physician assistant perform medical services under the supervision of a licensed physician.

Sec. 18. Section 489.1105, subsection 2, paragraph b, Code 2023, is amended to read as follows:

b. Nothing in this section shall be construed to expand the scope of practice of a physician assistant or modify the requirement in section 148C.4 that a physician assistant perform medical services under the supervision of a licensed physician.

Sec. 19. Section 496C.4, subsection 2, paragraph b, Code 2023, is amended to read as follows:

b. Nothing in this section shall be construed to expand the scope of practice of a physician assistant or modify the requirement in section 148C.4 that a physician assistant perform medical services under the supervision of a licensed physician.

Sec. 20. Section 496C.7, subsection 3, paragraph b, Code 2023, is amended to read as follows:

b. Nothing in this section shall be construed to expand the scope of practice of a physician assistant or modify the requirement in section 148C.4 that a physician assistant perform medical services under the supervision of a licensed physician.

Sec. 21. REPEAL. Sections 148.13, 148C.5, and 148.12, Code 2023, are repealed.

EXPLANATION

The inclusion of this explanation does not constitute agreement with the explanation's substance by the members of the general assembly.

This bill relates to the practice of physician assistants.
The bill repeals requirements that physician assistants practice under the supervision of a licensed physician and surgeon or osteopathic physician and surgeon. The bill repeals provisions requiring rulemaking for the supervision of physician assistants and requiring the board of physician assistants and board of medicine to submit an annual report regarding collaborative efforts, and makes other conforming changes.