

HB 1222 - AS INTRODUCED

2024 SESSION

24-2600

09/05

HOUSE BILL **1222**

AN ACT relative to physician assistant scope of practice.

SPONSORS: Rep. Rochefort, Graf. 1; Rep. Edwards, Rock. 31

COMMITTEE: Executive Departments and Administration

ANALYSIS

This bill eliminates the requirement for a collaboration agreement for physician assistants.

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears ~~[in brackets and struckthrough]~~
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Four

AN ACT relative to physician assistant scope of practice.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 Physician Assistants; Definitions. Amend RSA 328-D:1, II-c to read as follows:

2 II-c. "Participating physician" means a physician practicing as a sole practitioner, a
3 physician designated by a group of physicians to represent their physician group, or a physician
4 designated by a health care facility to represent that facility, who ~~[enters into a collaboration~~
5 ~~agreement]~~ **collaborates** with a physician assistant ~~[in accordance with this chapter]~~.

6 2 Physician Assistants; Definitions. Amend RSA 328-D:1, III to read as follows:

7 III. "Physician assistant" or "P.A." means a person qualified both by academic and practical
8 training to provide patient services ~~[in collaboration with one or more physicians pursuant to the~~
9 ~~requirements of]~~ **and licensed under** this chapter.

10 3 Physician Assistants; Physician Assistant Scope of Practice. Amend RSA 328-D:3-b, XVII to
11 read as follows:

12 XVII. Physician assistants ~~[shall]~~ **may** collaborate with, consult with, and/or refer to the
13 appropriate member(s) of the healthcare team as indicated by the patient's condition, the education,
14 experience, and competencies of the physician assistant, and the standard of care. ~~[The degree of~~
15 ~~collaboration should be outlined in the collaboration agreement.]~~ Physician assistants are solely
16 responsible for the care they provide.

17 4 Physician Assistants; Physician Liability. Amend RSA 328-D:12 to read as follows:

18 328-D:12 Physician Liability. A physician assistant is responsible for his or her own medical
19 decision making. A participating physician ~~[included in a collaboration agreement]~~ **who**
20 **collaborates** with a physician assistant shall not, by the existence of the collaboration ~~[agreement]~~
21 alone, be legally liable for the actions or inactions of the physician assistant; provided, however, that
22 this shall not otherwise limit the liability of the participating physician.

23 5 Repeal. The following are repealed:

24 I. RSA 328-D:1, II-b, relative to the definition of collaboration agreement.

25 II. RSA 328-D:3-b, I-VI, relative to the requirements for collaboration agreements.

26 III. RSA 328-D:6, V, relative to operating outside of a collaboration agreement.

27 IV. RSA 328-D:15, III, relative to suspension of the need for collaboration agreements during
28 disaster and emergency care.

29 V. RSA 328-D:16, II, relative to suspension of the need for collaboration agreements during
30 volunteer care.

31 6 Effective Date. This act shall take effect January 1, 2025.