

# HOUSE BILL No. 1142

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 25-27.5.

**Synopsis:** Physician assistants. Removes the requirement that a supervising physician be in the county or a contiguous county of the physician assistant's practice. Removes the limitation that a supervising physician may only delegate to a physician assistant the authority to prescribe one 30 day supply of a controlled substance. Changes the percentages of patient charts that a supervising physician or physician designee must review based on the number of years the physician assistant has been employed. Specifies that a physician may supervise not more than two physician assistants at a time.

**Effective:** July 1, 2012.

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## Welch, Davisson, Turner

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January 9, 2012, read first time and referred to Committee on Public Health.

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Second Regular Session 117th General Assembly (2012)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2011 Regular Session of the General Assembly.

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# HOUSE BILL No. 1142



A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 25-27.5-2-14, AS AMENDED BY P.L.197-2011,  
2 SECTION 118, IS AMENDED TO READ AS FOLLOWS  
3 [EFFECTIVE JULY 1, 2012]: Sec. 14. (a) "Supervision" means  
4 overseeing the activities of, and accepting responsibility for, the  
5 medical services rendered by a physician assistant and that the  
6 conditions set forth in subdivision (1) or (2) are met at all times that  
7 services are rendered or tasks are performed by the physician assistant:  
8 (1) The supervising physician or the physician designee is  
9 physically present at the location at which services are rendered  
10 or tasks are performed by the physician assistant.  
11 ~~(2) Both of the following apply:~~  
12 ~~(A)~~ (2) The supervising physician or the physician designee is  
13 immediately available:  
14 (i) (A) through the use of telecommunications or other  
15 electronic means; and  
16 (ii) (B) for consultation, including being able to see the patient  
17 in person within twenty-four (24) hours if requested by the



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patient or the physician assistant.  
(B) The supervising physician or the physician designee is in:  
(i) the county of the physician assistant's practice; or  
(ii) a contiguous county, including a county of a neighboring state, of the county containing the onsite location in which services are rendered or tasks are performed by the physician assistant.

The medical licensing board may permit an exception to the requirements of this clause after receiving an exceptional circumstance waiver request with the filed supervising agreement for each individual physician assistant and practice location. An exception must be approved by the board before the commencement of the physician assistant's practice in the county that requires the exceptional circumstance waiver request.

(b) The term includes the use of protocols, guidelines, and standing orders developed or approved by the supervising physician.

SECTION 2. IC 25-27.5-5-6, AS AMENDED BY P.L.197-2011, SECTION 122, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 6. (a) Except as provided in section 4(d) of this chapter, a supervising physician may delegate authority to a physician assistant to prescribe:

- (1) legend drugs except as provided in section 4(c) of this chapter; and
- (2) medical devices (except ophthalmic devices, including glasses, contact lenses, and low vision devices).

(b) Any prescribing authority delegated to a physician assistant must be expressly delegated in writing by the physician assistant's supervising physician, including:

- (1) the name of the drug or drug classification being delegated by the supervising physician; and
- (2) the protocols the physician assistant shall use when prescribing the drug.

(c) A physician assistant who is delegated the authority to prescribe legend drugs or medical devices must do the following:

- (1) Enter the following on each prescription form that the physician assistant uses to prescribe a legend drug or medical device:
  - (A) The signature of the physician assistant.
  - (B) The initials indicating the credentials awarded to the physician assistant by the NCCPA.
  - (C) The physician assistant's state license number.

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- 1 (2) Comply with all applicable state and federal laws concerning  
 2 prescriptions for legend drugs and medical devices.
- 3 (d) A supervising physician may delegate to a physician assistant  
 4 the authority to prescribe only legend drugs and medical devices that  
 5 are within the scope of practice of the licensed supervising physician  
 6 or the physician designee.
- 7 (e) A physician assistant who is delegated the authority to prescribe  
 8 controlled substances under subsection (a) and in accordance with the  
 9 limitations specified in section 4(c) of this chapter must do the  
 10 following:
- 11 (1) Obtain an Indiana controlled substance registration and a  
 12 federal Drug Enforcement Administration registration.
- 13 (2) Enter the following on each prescription form that the  
 14 physician assistant uses to prescribe a controlled substance:
- 15 (A) The signature of the physician assistant.
- 16 (B) The initials indicating the credentials awarded to the  
 17 physician assistant by the NCCPA.
- 18 (C) The physician assistant's state license number.
- 19 (D) The physician assistant's federal Drug Enforcement  
 20 Administration (DEA) number.
- 21 (3) Comply with all applicable state and federal laws concerning  
 22 prescriptions for controlled substances.
- 23 (f) A supervising physician may only delegate to a physician  
 24 assistant the authority to prescribe controlled substances:
- 25 (1) that may be prescribed within the scope of practice of the  
 26 licensed supervising physician or the physician designee; **and**  
 27 ~~(2) in an amount that does not exceed a one (1) thirty (30) day~~  
 28 ~~supply; and~~  
 29 ~~(3) (2) in accordance with the limitations set forth in section 4(c)~~  
 30 ~~of this chapter.~~
- 31 ~~If an additional prescription for the controlled substance is necessary~~  
 32 ~~after the one (1) time thirty (30) day supply described in subdivision~~  
 33 ~~(2) has been prescribed, the additional prescription may be prescribed~~  
 34 ~~only by a physician:~~
- 35 SECTION 3. IC 25-27.5-6-1, AS AMENDED BY P.L.197-2011,  
 36 SECTION 123, IS AMENDED TO READ AS FOLLOWS  
 37 [EFFECTIVE JULY 1, 2012]: Sec. 1. (a) Supervision by the  
 38 supervising physician or the physician designee must be continuous but  
 39 does not require the physical presence of the supervising physician at  
 40 the time and the place that the services are rendered.
- 41 (b) A supervising physician or physician designee shall review all  
 42 patient encounters not later than seventy-two (72) hours after the

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1 physician assistant has seen the patient.  
 2 (c) The supervising physician or physician designee shall review  
 3 within seventy-two (72) hours after a patient encounter **not less than**  
 4 **the following percentages of the patient charts:**  
 5 (1) **For the first year of employment of the physician assistant,**  
 6 **one hundred percent (100%).** ~~of the charts for the first three (3)~~  
 7 ~~years of employment of the physician assistant by the same~~  
 8 ~~employer and at least~~  
 9 (2) **For the second year of employment of the physician**  
 10 **assistant, fifty percent (50%).** ~~thereafter.~~  
 11 (3) **For the third year of employment of the physician**  
 12 **assistant, twenty-five percent (25%).**  
 13 However, if the physician assistant has had less than one thousand  
 14 eight hundred (1,800) hours of practice, the supervising physician or  
 15 physician designee shall review one hundred percent (100%) of the  
 16 charts within seventy-two (72) hours of the patient encounter.  
 17 SECTION 4. IC 25-27.5-6-2 IS AMENDED TO READ AS  
 18 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. A physician may  
 19 supervise not more than two (2) physician assistants **at a time.**

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