

1 H.116

2 Introduced by Representatives Emmons of Springfield, Bock of Chester,
3 Fagan of Rutland City, Forguites of Springfield, Pugh of South
4 Burlington, and Shaw of Pittsford

5 Referred to Committee on

6 Date:

7 Subject: Health; professions and occupations; Board of Medical Practice;
8 physician assistants

9 Statement of purpose of bill as introduced: This bill proposes to make changes
10 to the laws regarding licensure of physician assistants.

11 An act relating to physician assistant licensure

12 It is hereby enacted by the General Assembly of the State of Vermont:

13 Sec. 1. 26 V.S.A. chapter 31 is amended to read:

14 CHAPTER 31. PHYSICIAN ASSISTANTS

15 § 1731. POLICY AND PURPOSE

16 The ~~general assembly~~ General Assembly recognizes the need to provide
17 means by which physicians in this ~~state~~ State may increase the scope and
18 efficiency of their practice in order to ensure that high-quality medical services
19 are available to all Vermonters at reasonable cost. The General Assembly
20 recognizes that physician assistants, with their education, training, and

1 expertise in the field of medicine, are well-suited to provide these services to
2 Vermonters, often at a lower cost than if the same services were provided by a
3 physician.

4 § 1732. DEFINITIONS

5 As used in this chapter:

6 (1) “Accredited physician assistant program” means a physician
7 assistant educational program that has been accredited by the Accreditation
8 Review Commission on Education for the Physician Assistant (ARC-PA), or,
9 prior to 2001, by either the Committee on Allied Health Education and
10 Accreditation (CAHEA), or the Commission on Accreditation of Allied Health
11 Education Programs (CAAHEP).

12 (2) “Board” means the ~~state board of medical practice~~ State Board of
13 Medical Practice established by chapter 23 of this title.

14 (3) ~~“Delegation agreement” means a detailed description of the duties~~
15 ~~and scope of practice delegated by a primary supervising physician to a~~
16 ~~physician assistant that is signed by both the physician assistant and the~~
17 ~~supervising physicians. [Repealed.]~~

18 (4) “Physician” means an individual licensed to practice medicine
19 pursuant to chapter 23 or 33 of this title.

20 (5) “Physician assistant” or “PA” means an individual licensed by the
21 ~~state~~ State of Vermont ~~who is qualified by education, training, experience, and~~

1 ~~personal character to provide medical care with the direction and supervision~~
2 ~~of a Vermont licensed physician to practice medicine pursuant to this chapter.~~

3 (6) ~~“Supervising physician” means an M.D. or D.O. licensed by the state~~
4 ~~of Vermont who oversees and accepts responsibility for the medical care~~
5 ~~provided by a physician assistant~~ “Practice agreement” means an agreement
6 that meets the requirements of section 1735a of this chapter.

7 (7) ~~“Supervision” means the direction and review by the supervising~~
8 ~~physician of the medical care provided by the physician assistant. The~~
9 ~~constant physical presence of the supervising physician is not required as long~~
10 ~~as the supervising physician and physician assistant are or easily can be in~~
11 ~~contact with each other by telecommunication~~ “Practice as a physician
12 assistant” means the practice of medicine by a PA pursuant to a practice
13 agreement with a practice-identified physician or a physician group, or, for a
14 PA employed by a licensed hospital or federally qualified health center that
15 grants privileges, the practice of medicine in accordance with the privileges
16 granted.

17 (8) ~~“Disciplinary action” means any action taken against a physician~~
18 ~~assistant or an applicant by the board~~ Board ~~or on appeal therefrom, when that~~
19 ~~action suspends, revokes, limits, or conditions licensure in any way, and~~
20 ~~includes reprimands and administrative penalties.~~

1 § 1733. LICENSURE

2 (a) The ~~state board of medical practice~~ State Board of Medical Practice is
3 responsible for the licensure of physician assistants, and the ~~commissioner of~~
4 ~~health~~ Commissioner of Health shall adopt, amend, or repeal rules regarding
5 the training, practice, qualification, and discipline of physician assistants.

6 (b) ~~In order to practice, a licensed physician assistant shall have completed~~
7 ~~a delegation agreement as described in section 1735a of this title with a~~
8 ~~Vermont licensed physician signed by both the physician assistant and the~~
9 ~~supervising physician or physicians. The original shall be filed with the board~~
10 ~~and copies shall be kept on file at each of the physician assistant's practice~~
11 ~~sites. All applicants and licensees shall demonstrate that the requirements for~~
12 ~~licensure are met. [Repealed.]~~

13 (c), (d) ~~[Deleted.] [Repealed.]~~

14 § 1734. ELIGIBILITY

15 (a) The ~~board~~ Board may grant a license to practice as a physician assistant
16 to an applicant who meets all of the following requirements:

17 (1) ~~submits~~ Submits a completed application form provided by the
18 ~~board;~~ Board.

19 (2) ~~pays~~ Pays the required application fee;

20 (3) ~~has~~ Has graduated from an accredited physician assistant program or
21 has passed and maintained the certification examination by the National

1 Commission on the Certification of Physician Assistants (NCCPA) prior to
2 1988;

3 (4) ~~has~~ Has passed the ~~certification examination given~~ Physician
4 Assistant National Certifying Examination administered by the NCCPA;

5 (5) ~~is~~ Is mentally and physically able to engage safely in practice as a
6 physician assistant;

7 (6) ~~does~~ Does not hold any license, certification, or registration as a
8 physician assistant in another state or jurisdiction ~~which~~ that is under current
9 disciplinary action, or has been revoked, suspended, or placed on probation for
10 cause resulting from the applicant's practice as a physician assistant, unless the
11 ~~board~~ Board has considered the applicant's circumstances and determines that
12 licensure is appropriate;

13 (7) ~~is~~ Is of good moral character;

14 (8) ~~submits~~ Submits to the ~~board~~ Board any other information that the
15 ~~board~~ Board deems necessary to evaluate the applicant's qualifications; ~~and~~.

16 (9) ~~has~~ Has engaged in practice as a physician assistant within the last
17 three years or has complied with the requirements for updating knowledge and
18 skills as defined by ~~board~~ Board rules. This requirement shall not apply to
19 applicants who have graduated from an accredited physician assistant program
20 within the last three years.

21 (b), (c) ~~[Deleted.]~~ [Repealed.]

1 (d) When the ~~board~~ Board intends to deny an application for licensure, it
2 shall send the applicant written notice of its decision by certified mail. The
3 notice shall include a statement of the reasons for the action. Within 30 days
4 of the date that an applicant receives such notice, the applicant may file a
5 petition with the ~~board~~ Board for review of its preliminary decision. At the
6 hearing, the burden shall be on the applicant to show that licensure should be
7 granted. After the hearing, the ~~board~~ Board shall affirm or reverse its
8 preliminary denial.

9 (e) Failure to maintain competence in the knowledge and skills of a
10 physician assistant, as determined by the ~~board~~ Board, shall be cause for
11 revocation of licensure.

12 § 1734b. RENEWAL OF LICENSE

13 (a) Licenses shall be renewed every two years on payment of the required
14 fee. At least one month prior to the date on which renewal is required, the
15 ~~board~~ Board shall send to each licensee a license renewal application form and
16 notice of the date on which the existing license will expire. On or before the
17 renewal date, the licensee shall file an application for license renewal and pay
18 the required fee. The ~~board~~ Board shall register the applicant and issue the
19 renewal license. Within one month following the date renewal is required, the
20 ~~board~~ Board shall pay the license renewal fees into the ~~medical practice board~~
21 Medical Practice Board special fund. Any physician assistant while on

1 extended active duty in the uniformed services of the United States or member
2 of the ~~national guard, state guard, or reserve~~ National Guard, State Guard, or
3 Reserve component who is licensed as a physician assistant at the time of an
4 activation or deployment shall receive an extension of licensure up to 90 days
5 following the physician assistant's return from activation or deployment,
6 provided the physician assistant notifies the ~~board~~ Board of ~~his or her~~ the
7 activation or deployment prior to the expiration of the current license, and
8 certifies that the circumstances of the activation or deployment impede good
9 faith efforts to make timely application for renewal of the license.

10 (b) A licensee shall demonstrate that the requirements for licensure are met.

11 (c) A licensee for renewal of an active license to practice shall have
12 practiced as a physician assistant within the last three years or have complied
13 with the requirements for updating knowledge and skills as defined by ~~board~~
14 Board rules.

15 (d) A licensee shall promptly provide the ~~board~~ Board with new or changed
16 information pertinent to the information in ~~his or her~~ the physician assistant's
17 license and license renewal applications at the time ~~he or she~~ the licensee
18 becomes aware of the new or changed information.

19 (e) A license ~~which~~ that has lapsed may be reinstated on payment of a
20 renewal fee and a late renewal fee. The applicant shall not be required to pay
21 renewal fees during periods when the license was lapsed. However, if a

1 license remains lapsed for a period of three years, the ~~board~~ Board may require
2 the licensee to update ~~his or her~~ the licensee's knowledge and skills as defined
3 by ~~board~~ Board rules.

4 § 1734c. EXEMPTIONS

5 Nothing in this chapter shall be construed to require licensure under this
6 chapter of any of the following:

7 (1) a A physician assistant student enrolled in a physician assistant
8 educational program accredited by the Accreditation Review Commission on
9 Education for the Physician Assistant;

10 (2) a A physician assistant employed in the service of the U.S. Armed
11 Forces or National Guard, including National Guard in state status, while
12 performing duties incident to that employment;

13 (3) a A technician or other assistant or employee of a physician who
14 performs physician-delegated tasks but who is not rendering services as a
15 physician assistant or identifying himself or herself as a physician assistant;

16 (4) a A physician assistant who is duly licensed and in good standing in
17 another state, territory, or jurisdiction of the United States or in Canada if the
18 physician assistant is employed as or formally designated as the team physician
19 assistant by an athletic team visiting Vermont for a specific sporting event and
20 the physician assistant limits ~~his or her~~ the physician assistant's practice in this

1 State to the treatment of the members, coaches, and staff of the sports team
2 employing or designating the physician assistant.

3 (5) A physician assistant who is licensed in this State, licensed or
4 authorized to practice in any other jurisdiction of the United States, or
5 credentialed as a physician assistant by a federal employer, who is responding
6 to a need for medical care created by an emergency or a State or local disaster,
7 provided that this shall not include an emergency situation that occurs in the
8 physician assistant's place of employment. In an emergency or disaster
9 response, a practice agreement with a physician or physician group shall not be
10 required.

11 § 1735a. SUPERVISION PRACTICE AGREEMENT, PRIVILEGES
12 GRANTED BY LICENSED FACILITY, AND SCOPE OF
13 PRACTICE

14 ~~(a) It is the obligation of each team of physician and physician assistant to~~
15 ~~ensure that the physician assistant's scope of practice is identified; that~~
16 ~~delegation of medical care is appropriate to the physician assistant's level of~~
17 ~~competence; that the supervision, monitoring, documentation, and access to the~~
18 ~~supervising physician is defined; and that a process for evaluation of the~~
19 ~~physician assistant's performance is established~~ A physician assistant who
20 engages in practice as a physician assistant in this State shall either enter into a
21 written practice agreement as set forth in subsection (b) of this section or have

1 been granted privileges by a licensed hospital or by a federally qualified health
2 center, or both. A physician assistant entering into a practice agreement shall
3 enter into an agreement only with a practice-identified physician with a similar
4 area of specialty or with a physician group in which one or more physicians
5 have a similar area of specialty.

6 (b) ~~The information required in subsection (a) of this section shall be~~
7 ~~included in a delegation agreement as required by the commissioner by rule.~~
8 ~~The delegation agreement shall be signed by both the physician assistant and~~
9 ~~the supervising physician or physicians, and a copy shall be kept on file at each~~
10 ~~of the physician assistant's practice sites and the original filed with the board~~ A
11 practice agreement shall include all of the following:

12 (1) Processes between the physician assistant and the practice-identified
13 physician or physician group for communication, availability, decision-
14 making, and periodic joint evaluation of services delivered when providing
15 medical care to a patient.

16 (2) An agreement between the physician assistant and the practice-
17 identified physician or physician group that the physician assistant's scope of
18 practice shall be limited to medical care that is within the physician assistant's
19 education, training, and experience. Specific restrictions, if any, on the
20 physician assistant's practice shall be listed.

1 (3) A plan for contacting other physicians for consultation in situations
2 in which the practice-identified physician or a physician in the physician group
3 is not available for consultation.

4 (4) The signatures of the physician assistant and a representative of the
5 practice or physician group.

6 ~~(c) The physician assistant's scope of practice shall be limited to medical~~
7 ~~care which is delegated to the physician assistant by the supervising physician~~
8 ~~and performed with the supervision of the supervising physician. The medical~~
9 ~~care shall be within the supervising physician's scope of practice and shall be~~
10 ~~care which the supervising physician has determined that the physician~~
11 ~~assistant is qualified by education, training, and experience to provide~~ The
12 practice agreement shall be reviewed by the physician assistant and a
13 representative of the practice or physician group, at a minimum, at the time of
14 the physician assistant's license renewal.

15 (d) In the event of the unanticipated unavailability of the practice-identified
16 physician or physician group due to serious illness or death, a physician
17 assistant may continue to practice for no more than a 30-day period without
18 entering into a new practice agreement with another practice-identified
19 physician or physician group or being granted privileges by a licensed hospital
20 or by a federally qualified health center.

1 (e) The practice agreement shall not be submitted to the Board for approval
2 or filing but shall be maintained by the physician assistant and provided to the
3 Board upon request.

4 (f) A practice agreement is not required for a physician assistant employed
5 by a hospital licensed pursuant to 18 V.S.A. chapter 43 or by a federally
6 qualified health center, provided that the hospital or federally qualified health
7 center grants privileges. A physician assistant employed by and engaged in
8 practice as a physician assistant in a hospital or federally qualified health
9 center shall practice in accordance with the privileges granted.

10 (g) Nothing in this section shall be construed to require the physical
11 presence of a physician at the time and place at which a physician assistant
12 renders a medical service.

13 (h) A physician assistant's scope of practice shall be limited to medical
14 care that is within the physician assistant's education, training, and experience.

15 (i) A physician assistant may prescribe, dispense, and administer, and
16 procure drugs and medical devices to the extent delegated by a supervising
17 physician. A physician assistant who is authorized by a supervising physician
18 to prescribe prescribes controlled substances must shall register with the
19 federal Drug Enforcement Administration.

20 ~~(e) A supervising physician and physician assistant shall report to the board~~
21 ~~immediately upon an alteration or the termination of the delegation agreement.~~

1 § 1735b. PHYSICIAN ASSISTANT AS PRIMARY CARE PROVIDER

2 Notwithstanding any provision of law to the contrary, a physician assistant
3 shall be considered a primary care provider when the physician assistant
4 practices in one or more of the medical specialties for which a physician would
5 be considered to be a primary care provider.

6 § 1736. UNPROFESSIONAL CONDUCT

7 (a) The following conduct and the conduct described in section 1354 of this
8 title by a licensed physician assistant shall constitute unprofessional conduct:
9 ~~When;~~ when that conduct is by an applicant or person who later becomes an
10 applicant, it may constitute grounds for denial of licensure:

11 (1) fraud or misrepresentation in applying for or procuring a license or
12 in applying for or procuring a periodic renewal of a license;

13 (2) occupational advertising ~~which~~ that is intended or has a tendency to
14 deceive the public;

15 (3) exercising undue influence on or taking improper advantage of a
16 person using the individual's services, or promoting the sale of professional
17 goods or services in a manner ~~which~~ that exploits a person for the financial
18 gain of the practitioner or of a third party;

19 (4) failing to comply with provisions of federal or ~~state~~ State statutes or
20 rules governing the profession;

21 (5) conviction of a crime related to the profession; and

1 (6) conduct ~~which~~ that evidences unfitness to practice in the profession.

2 (b) Unprofessional conduct includes the following actions by a licensed
3 physician assistant:

4 (1) ~~making~~ Making or filing false professional reports or records,
5 impeding or obstructing the proper making or filing of professional reports or
6 records, or failing to file ~~the~~ a proper professional report or record;

7 (2) ~~practicing~~ Practicing the profession when mentally or physically
8 unfit to do so;

9 (3) ~~practicing the profession without having a delegation agreement~~
10 ~~meeting the requirements of this chapter on file at the primary location of the~~
11 ~~physician assistant's practice and the board;~~ Practicing as a physician assistant
12 without a practice agreement meeting the requirements of section 1735a or
13 practicing as a physician assistant in a licensed hospital or federally qualified
14 health center in a manner inconsistent with the privileges granted.

15 (4) ~~accepting~~ Accepting and performing responsibilities ~~which~~ that the
16 individual knows or has reason to know ~~that he or she~~ the individual is not
17 competent to perform;

18 (5) ~~making~~ Making any material misrepresentation in the practice of the
19 profession, whether by commission or omission;

20 (6) ~~the~~ The act of holding one's self out as, or permitting one's self to be
21 represented as, a licensed physician;

1 (7) ~~performing otherwise than at the direction and under the supervision~~
2 ~~of a physician licensed by the board or an osteopath licensed by the Vermont~~
3 ~~board of osteopathic physicians and surgeons; [Repealed.]~~

4 (8) ~~performing~~ Performing or offering to perform a task or tasks beyond
5 the individual's ~~delegated~~ scope of practice;

6 (9) ~~administering~~ Administering, dispensing, procuring, or prescribing
7 any controlled substance otherwise than as authorized by law;

8 (10) ~~habitual~~ Habitual or excessive use or abuse of drugs, alcohol, or
9 other substances that impair the ability to provide medical services;

10 (11) ~~failure~~ Failure to practice competently by reason of any cause on a
11 single occasion or on multiple occasions. Failure to practice competently
12 includes, as determined by the ~~board~~ Board:

13 (A) performance of unsafe or unacceptable patient care; or

14 (B) failure to conform to the essential standards of acceptable and
15 prevailing practice.

16 (c) A person aggrieved by a determination of the ~~board~~ Board may, within
17 30 days of the order, appeal that order to the Vermont ~~supreme court~~ Supreme
18 Court on the basis of the record created before the ~~board~~ Board.

1 § 1737. DISPOSITION OF COMPLAINTS

2 (a) Complaints and allegations of unprofessional conduct shall be
3 processed in accordance with the rules of procedure of the ~~board of medical~~
4 ~~practice~~ Board of Medical Practice.

5 (b) Any person, firm, corporation, or public officer may submit a written
6 complaint to the ~~board~~ Board alleging a physician assistant practicing in the
7 ~~state~~ State committed unprofessional conduct, specifying the grounds. The
8 ~~board~~ Board may initiate disciplinary action in any complaint against a
9 physician assistant and may act without having received a complaint.

10 (c) After giving opportunity for hearing, the ~~board~~ Board shall take
11 disciplinary action described in subsection 1361(b) of this title against a
12 physician assistant or applicant found guilty of unprofessional conduct.

13 (d) The ~~board~~ Board may approve a negotiated agreement between the
14 parties when it is in the best ~~interest~~ interests of the public health, safety, or
15 welfare to do so. Such an agreement may include any of the following
16 conditions or restrictions, which may be in addition to, or in lieu of,
17 suspension:

18 (1) a A requirement that the individual submit to care or counseling;

19 (2) a A restriction that the individual practice only under supervision of
20 a named person or a person with specified credentials;

1 (3) a A requirement that the individual participate in continuing
2 education in order to overcome specified practical deficiencies;

3 (4) a A requirement that the scope of practice permitted be restricted to a
4 specified extent;

5 (5) ~~an~~ An administrative penalty not to exceed \$1,000.00 for each act
6 that constitutes an unprofessional conduct violation. Any money received
7 from the imposition of an administrative penalty imposed under this
8 subdivision shall be deposited into the ~~board of medical practice regulatory fee~~
9 ~~fund~~ Board of Medical Practice Regulatory Fee Fund for the purpose of
10 providing education and training for ~~board~~ Board members and the professions
11 regulated by the ~~board~~ Board. The ~~commissioner~~ Commissioner shall detail in
12 the annual report receipts and expenses from money received under this
13 subsection.

14 (e) Upon application, the ~~board~~ Board may modify the terms of an order
15 under this section and, if licensure has been revoked or suspended, order
16 reinstatement on terms and conditions it deems proper.

17 § 1738. USE OF TITLE

18 Any person who is licensed to practice as a physician assistant in this ~~state~~
19 State shall have the right to use the title “physician assistant” and the
20 ~~abbreviation “P.A.”~~ abbreviations “PA” and “PA-C.” No other person may
21 assume that title or use ~~that abbreviation,~~ those abbreviations or use any other

1 words, letters, signs, or devices to indicate that the person using them is a
2 physician assistant.

3 § 1739. LEGAL LIABILITY

4 ~~(a) The supervising physician delegating activities to a physician assistant~~
5 ~~shall be legally liable for such activities of the physician assistant, and the~~
6 ~~physician assistant shall in this relationship be the physician's agent.~~

7 ~~(b) Nothing in this chapter shall be construed as prohibiting a physician~~
8 ~~from delegating to the physician's employees certain activities relating to~~
9 ~~medical care and treatment now being carried out by custom and usage when~~
10 ~~such activities are under the control of the physician. The physician delegating~~
11 ~~activities to his or her employees shall be legally liable for such activities of~~
12 ~~such persons, and such person shall in this relationship be the physician's~~
13 ~~agent. Nothing contained in this chapter shall be construed to apply to nurses~~
14 ~~acting pursuant to chapter 28 of this title. Physician assistants are responsible~~
15 ~~for their medical decision-making. A practice-identified physician or a~~
16 ~~physician group in a practice agreement with a physician assistant shall not, by~~
17 ~~the existence of the practice agreement alone, be legally liable for the actions~~
18 ~~or inactions of the physician assistant.~~

1 § 1739a. ~~INAPPROPRIATE USE OF SERVICES BY PHYSICIAN;~~

2 ~~UNPROFESSIONAL CONDUCT~~

3 ~~Use of the services of a physician assistant by a physician in a manner~~
4 ~~which is inconsistent with the provisions of this chapter constitutes~~
5 ~~unprofessional conduct by the physician and such physician shall be subject to~~
6 ~~disciplinary action by the board in accordance with the provisions of chapter~~
7 ~~23 or 33 of this title, as appropriate. [Repealed.]~~

8 § 1740. FEES

9 Applicants and persons regulated under this chapter shall pay the following
10 fees:

11 (1) Original application for licensure, \$225.00; the Board shall use at
12 least \$10.00 of this fee to support the cost of maintaining the Vermont
13 Practitioner Recovery Network, which, for the protection of the public,
14 monitors and evaluates, coordinates services for, and promotes rehabilitation of
15 licensees who have or potentially have an impaired ability to practice medicine
16 with reasonable skill and safety.

17 (2) Biennial renewal, \$215.00; the Board shall use at least \$10.00 of this
18 fee to support the cost of maintaining the Vermont Practitioner Recovery
19 Network, ~~which, for the protection of the public, monitors and evaluates,~~
20 ~~coordinates services for, and promotes rehabilitation of licensees who have or~~

1 ~~potentially have an impaired ability to practice medicine with reasonable skill~~
2 ~~and safety~~ described in subdivision (1) of this section.

3 § 1741. ~~NOTICE OF USE OF PHYSICIAN ASSISTANT TO BE POSTED~~

4 ~~A physician, clinic, or hospital that utilizes the services of a physician~~
5 ~~assistant shall post a notice to that effect in a prominent place. [Repealed.]~~

6 § 1742. PENALTY

7 (a) Any person who, not being licensed, holds himself or herself out to the
8 public as being licensed under this chapter shall be liable for a fine of not more
9 than \$10,000.00.

10 (b) In addition to the penalty provided in subsection (a) of this section, the
11 ~~attorney general~~ Attorney General or a ~~state's attorney~~ State's Attorney may
12 bring a civil action to restrain continuing violations of this section.

13 § 1743. MEDICAID REIMBURSEMENT

14 The Secretary of Human Services shall, pursuant to 3 V.S.A. chapter 25,
15 adopt rules providing for a fee schedule for reimbursement under Title XIX
16 (Medicaid) of the Social Security Act and 33 V.S.A. chapter 19, ~~relating to~~
17 ~~medical assistance~~ that recognizes reasonable cost differences between
18 services provided by physicians and those provided by physician assistants
19 under this chapter.

20 § 1743a. PAYMENT FOR MEDICAL SERVICES

21 (a) As used in this section:

1 (1) “Health insurer” has the same meaning as in 18 V.S.A. § 9402.

2 (2) “Participating provider” has the same meaning as in 18 V.S.A.
3 § 9418 and includes providers participating in the Vermont Medicaid program.

4 (b) Health insurers and Medicaid shall reimburse a participating provider
5 who is a physician assistant for any medical service delivered by the physician
6 assistant if the same service would be covered if delivered by a physician.

7 Physician assistants are authorized to bill for and receive direct payment for
8 the medically necessary services they deliver.

9 (c) To provide accountability and transparency for patients, payers, and the
10 health care system, the physician assistant shall be identified as the treating
11 provider in the billing and claims processes when the physician assistant
12 delivered the medical services to the patient.

13 (d) A health insurer shall not impose any practice, education, or
14 collaboration requirement for a physician assistant that is inconsistent with or
15 more restrictive than the provisions of this chapter.

16 § 1744. ~~CERTIFIED PHYSICIAN ASSISTANTS~~

17 ~~Any person who is certified by the board as a physician assistant prior to the~~
18 ~~enactment of this section shall be considered to be licensed as a physician~~
19 ~~assistant under this chapter immediately upon enactment of this section, and~~
20 ~~shall be eligible for licensure renewal pursuant to section 1734b of this title.~~

21 [Repealed.]

1 Sec. 2. 26 V.S.A. § 1354 is amended to read:

2 § 1354. UNPROFESSIONAL CONDUCT

3 (a) The Board shall find that any one of the following, or any combination
4 of the following, whether the conduct at issue was committed within or outside
5 the State, constitutes unprofessional conduct:

6 * * *

7 (38) signing a blank or undated prescription form; or

8 (39) ~~use of the services of a physician assistant by a physician in a~~
9 ~~manner that is inconsistent with the provisions of chapter 31 of this title; or~~

10 [Repealed.]

11 * * *

12 Sec. 3. DEPARTMENT OF HEALTH; RULEMAKING

13 The Department of Health shall amend the Board of Medical Practice rules
14 pursuant to 3 V.S.A. chapter 25 to conform the provisions regarding physician
15 assistant licensure to the provisions of this act. The Department shall complete
16 its rulemaking process on or before January 1, 2021.

17 Sec. 4. EFFECTIVE DATE

18 This act shall take effect on July 1, 2019 and shall apply to all physician
19 assistant licenses issued or renewed on and after that date.