

1 (B) failure to conform to the essential standards of acceptable and
2 prevailing practice.

3 (c) A person aggrieved by a determination of the Board may, within 30
4 days of the order, appeal that order to the Vermont Supreme Court on the basis
5 of the record created before the Board.

6 * * *

7 § 1738. USE OF TITLE

8 Any person who is licensed to practice as a physician assistant in this State
9 shall have the right to use the title “physician assistant” and the abbreviation
10 “P.A.” abbreviations “PA” and “PA-C.” No other person ~~may~~ shall assume
11 that title, ~~or use that abbreviation~~ those abbreviations, or use any other words,
12 letters, signs, or devices to indicate that the person using them is a physician
13 assistant.

14 § 1739. LEGAL LIABILITY

15 ~~(a) The supervising physician delegating activities to a physician assistant~~
16 ~~shall be legally liable for such activities of the physician assistant, and the~~
17 ~~physician assistant shall in this relationship be the physician’s agent.~~

18 ~~(b) Nothing in this chapter shall be construed as prohibiting a physician~~
19 ~~from delegating to the physician’s employees certain activities relating to~~
20 ~~medical care and treatment now being carried out by custom and usage when~~
21 ~~such activities are under the control of the physician. The physician delegating~~

1 ~~activities to his or her employees shall be legally liable for such activities of~~
2 ~~such persons, and such person shall in this relationship be the physician's~~
3 ~~agent. Nothing contained in this chapter shall be construed to apply to nurses~~
4 ~~acting pursuant to chapter 28 of this title. Physician assistants are responsible~~
5 ~~for their own medical decision making. A participating physician in a practice~~
6 ~~agreement with a physician assistant shall not, by the existence of the practice~~
7 ~~agreement alone, be legally liable for the actions or inactions of the physician~~
8 ~~assistant.~~

9 § 1739a. ~~INAPPROPRIATE USE OF SERVICES BY PHYSICIAN;~~

10 UNPROFESSIONAL CONDUCT

11 ~~Use of the services of a physician assistant by a physician in a manner~~
12 ~~which is inconsistent with the provisions of this chapter constitutes~~
13 ~~unprofessional conduct by the physician and such physician shall be subject to~~
14 ~~disciplinary action by the Board in accordance with the provisions of chapter~~
15 ~~23 or 33 of this title, as appropriate. [Repealed.]~~

16 § 1740. FEES

17 Applicants and persons regulated under this chapter shall pay the following
18 fees:

19 (1) Original application for licensure, \$225.00; the Board shall use at
20 least \$10.00 of this fee to support the cost of maintaining the Vermont
21 Practitioner Recovery Network, which, for the protection of the public,