

1 ~~shall be eligible for licensure renewal pursuant to section 1734b of this title.~~

2 [Repealed.]

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

4 § 1354. UNPROFESSIONAL CONDUCT

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

8 \* \* \*

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

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

12 [Repealed.]

13 \* \* \*

14 Sec. 3. 26 V.S.A. § 1444 is added to read:

15 § 1444. LIABILITY FOR ACTIONS OF AGENT

16 (a) A physician may delegate to a medical technician or other assistant or  
17 employee certain activities related to medical care and treatment that the  
18 individual is qualified to perform by training, education, experience, or a  
19 combination of these when the activities are under the control of the physician.  
20 The physician delegating the activities to the individual shall be legally liable

1 for the individual’s performance of those activities, and in this relationship, the  
2 individual shall be the physician’s agent.

3 (b) Nothing in this section shall be construed to apply to a nurse acting  
4 pursuant to chapter 28 of this title or to a physician assistant acting pursuant to  
5 chapter 31 of this title.

6 Sec. 4. DEPARTMENT OF HEALTH; RULEMAKING

7 The Department of Health shall amend the Board of Medical Practice rules  
8 pursuant to 3 V.S.A. chapter 25 to conform the provisions regarding physician  
9 assistant licensure to the provisions of this act. The Department shall complete  
10 its rulemaking process on or before July 1, 2021.

11 Sec. 5. EFFECTIVE DATE

12 This act shall take effect on July 1, 2020 and shall apply to all physician  
13 assistant licenses issued or renewed on and after that date.

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18 (Committee vote: \_\_\_\_\_)

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Senator \_\_\_\_\_

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FOR THE COMMITTEE