

INTERIM STUDY PROPOSAL 2023-129

State of Arkansas
94th General Assembly

A Bill

JMB/JMB
SENATE BILL

By: Senator C. Penzo

Filed with: Senate Committee on Public Health, Welfare, and Labor
pursuant to A.C.A. §10-3-217.

For An Act To Be Entitled

AN ACT TO AUTHORIZE A PHYSICIAN ASSISTANT TO DELEGATE
CERTAIN TASKS; AND FOR OTHER PURPOSES.

Subtitle

TO AUTHORIZE A PHYSICIAN ASSISTANT TO
DELEGATE CERTAIN TASKS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 17-95-208 is amended to read as follows:
17-95-208. Rules on physician’s authority to delegate.

(a) The Arkansas State Medical Board shall adopt rules that establish standards to be met and procedures to be followed by a physician or a physician assistant with respect to the ~~physician’s~~ delegation of the performance of medical practices to a qualified and properly trained employee who is not licensed or otherwise specifically authorized by the Arkansas Code to perform the practice.

(b) The rules adopted under subsection (a) of this section shall provide that:

(1) The delegating physician or a physician assistant remains responsible for the acts of the employee performing the delegated practice;

(2) The employee performing the delegated practice shall not be represented to the public as a licensed physician, licensed nurse, licensed physician’s assistant, or other licensed healthcare provider; and

1 (3) Medical practices delegated under this section shall be
2 performed under the ~~physician's~~ supervision of the physician or physician
3 assistant.

4 (c) Delegation of medical practices under this section may include
5 administration of drugs that do not require substantial specialized judgment
6 and skill based on knowledge and application of the principles of biological,
7 physical, and social sciences as determined by the board.

8 (d) Rules adopted regarding the delegation of the administration of
9 drugs shall provide for:

10 (1) The delegated administration of drugs only within the
11 physical boundaries of the office in which the delegating ~~physician's offices~~
12 physician or physician assistant practices;

13 (2) Evaluation of whether delegation is appropriate according to
14 the acuity of the patient involved;

15 (3) Training and competency requirements that shall be met by
16 the person administering the drugs; and

17 (4) Other standards and procedures the board considers relevant.

18 (e) The board shall not adopt rules that:

19 (1) Authorize a physician to transfer to a health professional
20 other than ~~another~~ a physician or physician assistant the physician's
21 responsibility for supervising a delegated medical practice;

22 (2) ~~Authorize an individual to whom a medical practice is~~
23 ~~delegated to delegate the performance of that practice to another individual;~~

24 ~~(3)~~ Authorize a physician to delegate the administration of
25 anesthesia; or

26 ~~(4)~~(3) Conflict with a provision of the Arkansas Code that
27 specifically authorizes an individual to perform a particular practice.

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29 SECTION 2. Arkansas Code § 17-105-107, concerning the scope of
30 authority and delegatory authority of a physician assistant, is amended to
31 add an additional subsection to read as follows:

32 (e) A physician assistant may delegate certain tasks as authorized
33 under § 17-95-208 and the rules of the Arkansas State Medical Board.

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36 Referred by Senator C. Penzo

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