

By: Representative Barnett

To: Public Health and Human
Services

HOUSE BILL NO. 1120

1 AN ACT TO ALLOW PHYSICIAN ASSISTANTS TO PARTICIPATE IN
2 DISASTER AND EMERGENCY CARE WITHOUT THE SUPERVISION OF A
3 PHYSICIAN; TO AMEND SECTIONS 73-26-3 AND 73-26-5, MISSISSIPPI CODE
4 OF 1972, IN CONFORMITY; AND FOR RELATED PURPOSES.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

6 **SECTION 1.** In the event of a national emergency duly
7 declared by federal officials or in the event of a natural
8 disaster or state emergency duly declared by the Governor, a
9 physician assistant licensed in this state or licensed or
10 authorized to practice in any other United States' jurisdiction or
11 who is credentialed as a physician assistant by a federal employer
12 who is responding to a need for medical care created by an
13 emergency or a state or local disaster (not to be defined as an
14 emergency situation which occurs in the place of one's employment)
15 may provide emergency medical treatment without the immediate
16 physician supervision or direction to patients within the affected
17 areas of the state, provided that treatment is within the scope of
18 the assistant's education, training and approved job description.
19 The physician assistant in such circumstances shall make
20 reasonable efforts to inform his supervising physician of the
21 location and type of emergency medical services being provided and
22 shall act in conformance with the direction of local medical
23 supervisors. Any physician who supervises a physician assistant
24 providing medical care in response to such an emergency or state
25 or local disaster shall not be required to meet the requirements
26 set forth in Section 73-26-5. The authority granted under this
27 section shall extend only for the duration of the declared
28 national emergency or state emergency or natural disaster.

29 **SECTION 2.** Section 73-26-3, Mississippi Code of 1972, is
30 amended as follows:

31 73-26-3. (1) The State Board of Medical Licensure shall
32 license and regulate the practice of physician assistants in
33 accordance with the provisions of this chapter.

34 (2) All physician assistants who are employed as physician
35 assistants by a Department of Veterans Affairs health care
36 facility, a branch of the United States military or the Federal
37 Bureau of Prisons, and who are practicing as physician assistants
38 in a federal facility in Mississippi on July 1, 2000, and those
39 physician assistants who trained in a Mississippi physician
40 assistant program and have been continuously practicing as a
41 physician assistant in Mississippi since 1976, shall be eligible
42 for licensure if they submit an application for licensure to the
43 board by December 31, 2000. Physician assistants licensed under
44 this subsection will be eligible for license renewal so long as
45 they meet standard renewal requirements.

46 (3) Before December 31, 2004, applicants for physician
47 assistant licensure, except those licensed under subsection (2) of
48 this section, must be graduates of physician assistant educational
49 programs accredited by the Commission on Accreditation of Allied
50 Health Educational Programs or its predecessor or successor
51 agency, have passed the certification examination administered by
52 the National Commission on Certification of Physician Assistants
53 (NCCPA), have current NCCPA certification, and possess a minimum
54 of a baccalaureate degree. Physician assistants meeting these
55 licensure requirements will be eligible for license renewal so
56 long as they meet standard renewal requirements.

57 (4) On or after December 31, 2004, applicants for physician
58 assistant licensure must meet all of the requirements in
59 subsection (3) of this section and, in addition, must have
60 obtained a minimum of a master's degree in a health-related or
61 science field.

62 (5) Applicants for licensure who meet all licensure
63 requirements except for the master's degree may be granted a
64 temporary license by the board so long as they can show proof of
65 enrollment in a master's program that will, when completed, meet
66 the master's degree requirement. The temporary license will be
67 valid for no longer than one (1) year, and may not be renewed.
68 This subsection shall take effect and be in force from and after
69 March 9, 2006. This subsection shall stand repealed on July 1,
70 2010.

71 (6) For new graduate physician assistants and all physician
72 assistants receiving initial licenses in the state, except those
73 licensed under subsection (2) of this section, and except as
74 provided in Section 1 of this act, supervision shall require the
75 on-site presence of a supervising physician for one hundred twenty
76 (120) days.

77 **SECTION 3.** Section 73-26-5, Mississippi Code of 1972, is
78 amended as follows:

79 73-26-5. (1) Except as provided in Section 1 of this act,
80 the board shall promulgate and publish reasonable rules and
81 regulations necessary to enable it to discharge its functions and
82 to enforce the provisions of law regulating the practice of
83 physician assistants. Those rules shall include, but are not
84 limited to: qualifications for licensure for physician
85 assistants; scope of practice of physician assistants; supervision
86 of physician assistants; identification of physician assistants;
87 grounds for disciplinary actions and discipline of physician
88 assistants; and setting and charging reasonable fees for licensure
89 and license renewals for physician assistants. However, nothing
90 in this chapter or in rules adopted by the board shall authorize
91 physician assistants to administer or monitor general inhaled
92 anesthesia, epidural anesthesia, spinal anesthesia or monitored
93 anesthesia as utilized in surgical procedures.

94 (2) If the board appoints a task force or committee to
95 address physician assistant regulation, at least one (1) member of
96 the task force shall be a nurse practitioner who is a member of
97 the Mississippi Board of Nursing or a nurse practitioner appointee
98 selected by the board from a list of three (3) recommendations
99 submitted by the Mississippi Nurses Association, and at least one
100 (1) member shall be a physician assistant selected by the board
101 from a list of three (3) recommendations submitted by the
102 Mississippi Academy of Physician Assistants.

103 **SECTION 4.** This act shall take effect and be in force from
104 and after July 1, 2007.