

HB 737 Testimony

**Given by Van Kirke Nelson, M.D.
Montana Board of Medical Examiners
Department of Labor and Industry**

An Act Revising the Physician Assistant Laws

Chairman Becker, members of the Committee

My Name is Van Kirke Nelson, M.D., Kalispell, Montana. I have been practicing medicine in Montana for 45 years.

I am the current President of the Montana Board of Medical Examiners.

I am here today to testify in full support of HB 737 Revising the Board of Medical Examiners statutes governing Physician Assistants.

I would like to thank Representative Walter McNutt sponsoring this bill on behalf of the Board.

The Physician Assistant is a valuable member of health care providers and an essential part to patient care especially in rural Montana communities.

Physician Assistants are Mid-level practitioner. Physician Assistants have full prescriptive authority. Physician Assistants should not be confused with unlicensed Medical Assistants.

They have been licensed in the State of Montana since 1989 under the supervision of licensed physicians. Physician Assistants do not practice independently. Currently, there are 291 active licensed Physician Assistants in Montana.

The supervising physician is by statute, legally liable and professionally responsible for the Physician Assistants care of his/her patients.

The Board of Medical Examiners established a Physician Assistant Committee, which met for 3 years. They were charged with streamlining the administratively cumbersome utilization plan and eliminating unnecessary barriers to licensure and practice. This bill is a result of the Committee's hard work.

The Board received comment and consideration from the Montana Association of Physician Assistants; the Montana Hospital Association; the Montana Nurses Association; the Montana Board of Nursing; the American Association of Physician Assistants; supervising physicians and physician assistants; administrators and the public which were incorporated into this proposed bill. The bill is a result of that collaborative effort.

This Bill amends:

- The bill defines the scope of practice for Physician Assistant in law, but does not expanded the scope of physician assistant practice.
- The bill eliminates the word "certified" in the title of "Physician Assistant" because all licensed physician assistants in Montana are certified.

In Montana all Physician Assistants must hold national certification for licensure; prior to 2001 Montana had Physician Assistants that were both certified and non-certified. Therefore the title distinction is no longer necessary.

- This bill changes the name of the "utilization plan" to "supervision agreement" to clarify for the general public, patients, other health care providers and facilities that the supervision agreement provides for legal and professional liability, oversight and supervision of the mid-level practitioner "physician assistant" by a Montana licensed physician. (Medical Doctor or Doctor of Osteopathy)
- The bill overall updates the process with regard to physician assistants' contracts with supervising physicians and more importantly provides greater access to patient care by eliminating unnecessary barriers to practice and practice sites. Removes cumbersome administrative requirements regarding utilization plans while maintaining protection for the public and required physician oversight and supervision of the physician assistants.
- In summary it updates the Physician Assistant laws by amending requirements; license types; definitions; dispensing authority; unlawful acts; and the relationship between a supervising physician and physician assistant
- This bill offers flexibility with regard to providing highly qualified and licensed mid-level healthcare practitioners to rural and frontier areas of Montana.
- This bill provides an emergency disaster provision to allowing an exemption for out-of-state licensed Physician Assistants to practice during federal, state and local emergencies and disasters.

The Board of Medical Examiners strongly supports this bill and asks that the Committee due pass.

Thank you for your consideration of this legislation. I will be available for questions from the Committee.

Van Kirke Nelson, M.D.