

The Senate Health and Human Services Committee offered the following substitute to HB 617:

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 34 of Title 43 of the Official Code of Georgia Annotated, relating to
2 physicians, acupuncture, physician's assistants, cancer and glaucoma treatment, respiratory
3 care, clinical perfusionists, and orthotics and prosthetics practice, so as to change provisions
4 relating to physician's assistants; to provide for a definition; to change the provisions relating
5 to application for an assistant; to provide for an inactive licensure status; to change the
6 provisions relating to clinical perfusionists; to change the period of time for which a
7 provisional license shall be valid; to provide for licensure of provisional licensees; to provide
8 for revocation of a provisional license for failure to meet certain licensure requirements; to
9 provide for related matters; to provide for an effective date; to repeal conflicting laws; and
10 for other purposes.

11 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

12 Chapter 34 of Title 43 of the Official Code of Georgia Annotated, relating to physicians,
13 acupuncture, physician's assistants, cancer and glaucoma treatment, respiratory care, clinical
14 perfusionists, and orthotics and prosthetics practice, is amended by striking Code Section
15 43-34-102, relating to definitions, and inserting in its place the following:
16

17 "43-34-102.

18 As used in this article, the term:

19 (1) 'Alternate supervising physician' means a physician to whom a primary supervising
20 physician has delegated the responsibility of supervising a physician's assistant who is
21 licensed to that primary supervising physician and who agrees to supervise the
22 physician's assistant for the primary supervising physician and who is on record with the
23 board.

24 (2) 'Board' means the Composite State Board of Medical Examiners as created by Code
25 Section 43-34-21.

1 (3) 'Carry out a prescription drug or device order' means to complete, on a form
2 established and approved by the board, a written prescription drug order or a prescription
3 device order pursuant to the authority delegated by a supervising physician.

4 (4) 'Evaluation agency' means a public or private hospital, school, laboratory, clinic,
5 federal or state institution or agency, or similar facility which has been approved by the
6 board as possessing personnel and equipment and as having had practice in a health care
7 field sufficient to be able to make an objective appraisal, in a manner prescribed by the
8 board, of the proposed physician's assistant's qualifications to perform the tasks
9 described in the job description.

10 (5) 'Job description' means a document, signed by the primary supervising physician and
11 the physician's assistant whom the primary supervising physician is supervising, which
12 describes the professional background and specialty of the primary supervising physician;
13 the qualifications, including related experience of the physician's assistant; and a general
14 description of how the physician's assistant will be utilized in the practice. A job
15 description shall not be required to contain every activity the physician deems the
16 physician's assistant qualified to perform but shall confine the activities of the
17 physician's assistant to those in the scope of practice of the primary supervising
18 physician.

19 ~~(5)~~ (6) 'Physician' means a person lawfully licensed in this state to practice medicine and
20 surgery pursuant to Article 2 of this chapter.

21 ~~(6)~~ (7) 'Physician's assistant' means a skilled person qualified by academic and practical
22 training to provide patients' services not necessarily within the physical presence but
23 under the personal direction or supervision of the applying physician.

24 ~~(7)~~ (8) 'Primary supervising physician' means the physician to whom the board licenses
25 a physician's assistant pursuant to a board approved job description and who has the
26 primary responsibility for supervising the practice of that physician's assistant."

27 SECTION 2.

28 Said chapter is further amended by striking subsection (a) of Code Section 43-34-103,
29 relating to application for a physician's assistant, and inserting in its place the following:

30 "(a) In order to obtain approval for the utilization of a person as a physician's assistant,
31 whether the utilization is in a private practice or through a public or private health care
32 institution or organization, the licensed physician who will be responsible for the
33 performance of that assistant shall submit an application to the board. Such application
34 shall include:

35 (1) Evidence submitted by the proposed physician's assistant of his or her good moral
36 character;

1 (2) Evidence of his or her competency in a health care area related to the job description
2 which, as a minimum, shall include:

3 (A) Evidence of satisfactory completion of a training program approved by the board.

4 If the applicant is not a graduate of an accredited school approved by the board, he or
5 she shall be required to receive board approved refresher training and testing;

6 (B) A finding by the board approved evaluation agency that the proposed physician's
7 assistant is qualified to perform the tasks described in the job description; and

8 (C) Evidence that the person who is to be used as a physician's assistant has achieved
9 a satisfactory score on an appropriate examination outlined, approved, or administered
10 by the board. The board may issue a temporary permit to any applicant for licensure
11 who has satisfied the provisions of subparagraphs (A) and (B) of this paragraph and
12 who is an applicant for the next available board approved or administered examination
13 or who has completed this examination and is awaiting the results of such examination.

14 The temporary permit shall expire upon notification of the applicant's failure to achieve
15 a satisfactory score on the board approved or administered examination. The board
16 may grant an inactive licensure status to a physician's assistant who is licensed pursuant
17 to this article but who is not practicing with the supervision of a board approved
18 primary supervising physician;

19 (3) ~~A job description, signed by the applying physician, which shall include:~~

20 ~~(A) The qualifications, including related experience, possessed by the proposed~~
21 ~~physician's assistant;~~

22 ~~(B) The professional background and specialty of the physician submitting the~~
23 ~~application; and~~

24 ~~(C) A description of the physician's practice and the way in which the assistant is to~~
25 ~~be utilized; and meeting the requirements of paragraph (5) of Code Section 43-34-102;~~
26 ~~and~~

27 (4) A fee, established by the board; provided, however, that no fee will be required if the
28 physician's assistant is an employee of the state or county government."

29 SECTION 3.

30 Said chapter is further amended by striking subsections (c) and (d) of Code Section
31 43-34-175, relating to issuance of provisional licensed clinical perfusionist license,
32 supervision of licensee, renewal, and revocation, and inserting in their respective places the
33 following:

34 "(c) A provisional license shall be valid for ~~one year~~ two years from the date it is issued
35 and may not be renewed ~~no more than one time by the same procedures established for the~~
36 ~~renewal of licenses pursuant to this article, if the application for renewal is signed by a~~

1 ~~supervising licensed clinical perfusionist. The provisional licensee must comply with all~~
2 ~~of the requirements for licensure under Code Section 43-34-173 prior to the expiration of~~
3 ~~the two-year provisional license period. A provisional licensee may submit an application~~
4 ~~for licensure as a licensed clinical perfusionist once he or she has complied with all of the~~
5 ~~requirements for licensure under Code Section 43-34-173.~~

6 (d) If a person fails ~~any portion of the licensure examination~~ to meet the requirements for
7 ~~licensure under Code Section 43-34-173 on or before the expiration of the two-year~~
8 ~~provisional license period~~, such person's provisional license shall be automatically revoked
9 and surrendered to the board."

10 **SECTION 4.**

11 This Act shall become effective upon its approval by the Governor or upon its becoming law
12 without such approval.

13 **SECTION 5.**

14 All laws and parts of laws in conflict with this Act are repealed.