

HAWAII MEDICAL BOARD

TO: Physician Assistant
FROM: Hawaii Medical Board
SUBJECT: Statement of Supervising Physician

For your information, the following pages consist of a copy of Subchapter 6, Certifying Physician Assistants, of Chapter 16-85, Hawaii Administrative Rules, of the Hawaii Medical Board. The subchapter requires that supervising physicians shall submit a statement that they will direct and exercise supervision over any subordinate physician assistant in accordance with Subchapter 6.

To facilitate this requirement, a form (AMD-03) has been developed that can be used for this purpose. After you have completed and signed your portion, please provide a copy of this form to each of your supervising physicians for completion and submission to the address below.

Physician Assistant
DCCA, PVL Licensing Branch
P.O. Box 3469
Honolulu, HI 96801

Any questions regarding this requirement should be directed to the Executive Officer of the Hawaii Medical Board at: (808) 586-2708.

**HAWAII ADMINISTRATIVE RULES
CHAPTER 85
MEDICAL EXAMINERS**

SUBCHAPTER 6

CERTIFYING PHYSICIAN ASSISTANTS

§16-85-44 Authority and purpose. The purpose of this subchapter is to implement section 453-5.3, HRS, which delegates to the board of medical examiners the responsibility to adopt rules regarding standards of medical education and training governing physician assistants, such standards to equal but not be limited by existing national education and training standards, and the degree of supervision required by a supervising physician. [Eff 6/30/81; am and comp 7/27/87; comp 10/28/89; comp 8/25/90; comp 12/22/97] (Auth: HRS §§453-5.1, 453-5.3) (Imp: HRS §453-5.3)

§16-85-44.5 Definition. As used in this subchapter:

"Physician assistant" means an individual who has been certified by the board to practice medicine with physician supervision. A physician assistant may perform those duties and responsibilities delegated by the physician assistant's supervising physician.

"Supervising physician" means a physician or group of physicians or an osteopathic physician and surgeon licensed to practice medicine and surgery in this State who accepts the responsibility for the supervision of services rendered by physician assistants. The supervising physician shall direct and exercise supervision at all times.

"Supervision" means overseeing the activities of, and accepting responsibility for, the medical services rendered by a physician assistant. Supervision shall be continuous but shall not be construed as necessarily requiring the physical presence of the supervising physician at the time and place the services are rendered. [Eff and comp 7/27/87; am and comp 10/28/89; comp 8/25/90; am and comp 12/22/97] (Auth: HRS §§453-5.1, 453-5.3) (Imp: HRS §453-5.3)

§16-85-45 Education. All physician assistant educational programs approved and accredited by the American Medical Association's Committee on Allied Health Education and Accreditations, or its successor agency shall be approved by the board of medical examiners. [Eff 6/30/81; comp 7/27/87; comp 10/28/89; comp 8/25/90; am and comp 12/22/97] (Auth: HRS §§453-5.1, 453-5.3) (Imp: HRS §453-5.3)

§16-85-46 Certification application. (a) An application for certification shall be made under oath on a form to be provided by the board. The form may require the applicant to provide:

- (1) The appropriate fees including the application fee which shall not be refunded;
- (2) The applicant's full name;
- (3) Evidence of graduation from a board approved school or training program;
- (4) Evidence of passage of the national certification examination developed by the National Commission on Certification of Physician's Assistants (NCCPA);

- (5) Evidence of current NCCPA certification;
- (6) Information regarding any conviction of any crime which has not been annulled or expunged;
- (7) A completed Federation Discipline Report from the Federation of State Medical Boards;
- (8) If applicable, evidence of any certifications held or once held in other jurisdictions indicating the status of the certification and documenting any disciplinary action;
- (9) Any other information the board may require to investigate the applicant's qualifications for certification;
- (10) A statement signed by the licensed physician or group of physicians, as the case may be, stating that the physician or group of physicians will direct and supervise the physician assistant and that the physician assistant will be considered the agent of the physician or group of physicians; and
- (11) The name of the employer.

(b) An application for a temporary certificate shall be made under oath on a form to be provided by the board. The form shall require the applicant to provide verification from the NCCPA that the applicant is scheduled to take the next scheduled examination and items listed in subsection (a) above with the exception of items (4) and (5). Graduation from a board approved school or training program shall have occurred within twelve months of the date of application.

(c) It shall be the applicant's responsibility to furnish any information and documentation requested by the board. In the event of any change of information provided, the applicant shall notify the board of any change within thirty days of any change.

(d) Every application and all references shall be signed by the applicant or the person attesting to the applicant's education, experience, employment, and reputation. [Eff 6/30/81; am and comp 7/27/87; comp 10/28/89; comp 8/25/90; am and comp 12/22/97] (Auth: HRS §§453-5.1, 453-5.3) (Imp: HRS §453-5.3)

§16-85-47 Certification document and identification. (a) Upon approval of the application, the board shall issue a physician assistant certificate which recognizes that the applicant is competent to perform under appropriate supervision those duties and functions specifically delegated to the applicant by a physician or group of physicians. The certificate is subject to biennial renewal, and the appropriate fees shall be paid to maintain current certification.

(b) A physician assistant who meets all requirements for certification but who is not employed as a physician assistant shall be certified on an inactive status.

(c) The physician assistants shall introduce themselves as physician assistants to all patients for whom the physician assistants may provide services. [Eff 6/30/81; am and comp 7/27/87; comp 10/28/89; comp 8/25/90; am and comp 12/22/97] (Auth: HRS §§453-5.1, 453-5.3) (Imp: HRS §453-5.3)

§16-85-48 Renewal. To be eligible for renewal of physician assistant certification, the physician assistant shall maintain national certification by the NCCPA. [Eff 6/30/81; am and comp 7/27/87; comp 10/28/89; comp 8/25/90; comp 12/22/97] (Auth: HRS §§453-5.1, 453-5.3) (Imp: HRS §453-5.3)

§16-85-49 Degree of supervision. (a) The supervising physician shall:

- (1) Possess a current unrestricted Hawaii license to practice medicine and surgery that is in good standing with the board;
- (2) Submit a statement that the supervising physician will direct and exercise supervision over any subordinate physician assistant in accordance with this subchapter and recognizes that the supervising physician retains full professional and legal responsibility for the performance of the physician assistant and the care and treatment of the patient;
- (3) Permit the physician assistant to be utilized in any setting authorized by the supervising physician including, but not limited to, clinics, hospitals, ambulatory centers, patient homes, nursing homes, other lodging, and other institutional settings;
- (4) Provide adequate means for direct communication between the physician assistant and the supervising physician; provided that where the physical presence of the supervising physician is not required, the direct communication may occur through the use of technology which may include but is not limited to, two way radio, telephone, fax machine, modem, or other telecommunication device;
- (5) Personally review the records of each patient seen by the physician assistant within seven working days;
- (6) Designate an alternate supervising physician in the physician's absence;
- (7) Supervise no more than two physician assistants at any one time; and
- (8) Be authorized to allow the physician assistant to prescribe, dispense, and administer medications and medical devices to the extent delegated by the supervising physician and subject to the following requirements:
 - (A) Prescribing and dispensing of medications may include Schedule III through V and all legend medications. No physician assistant may prescribe Schedule II medications;
 - (B) A physician assistant who has been delegated the authority to prescribe Schedule III through V medications shall register with the Drug Enforcement Administration (DEA);
 - (C) Each prescription written by a physician assistant shall include the name, address, and phone number of the supervising physician and physician assistant. The printed name of the supervising physician shall be on one side of the form and the printed name of the physician assistant shall be on the other side. A physician assistant who has been delegated the authority to prescribe shall sign the prescription next to the printed name of the physician assistant;

- (D) A physician assistant employed or extended privileges by a hospital or extended care facility may, if allowed under the bylaws, rules, and regulations of the hospital or extended care facility, write orders for medications Schedule II through V, for inpatients under the care of the supervising physician;
- (E) The board of medical examiners shall notify the pharmacy board in writing, at least annually or more frequently if required by changes, of each physician assistant authorized to prescribe;
- (F) A physician assistant may request, receive, and sign for professional samples and may distribute professional samples to patients; and
- (G) All dispensing activities shall comply with appropriate federal and state regulations.

(b) The supervising physician or physicians and the physician assistant shall notify the board within ten days of severance of supervision or employment of the physician assistant. [Eff 6/30/81; am and comp 7/27/87; comp 10/28/89; comp 8/25/90; am and comp 12/22/97] (Auth: HRS §§453-5.1, 453-5.3) (Imp: HRS §§453-5.1, 453-5.3, 460-1)

§16-85-49.1 Scope of practice. (a) A physician assistant shall be considered the agents of the physician assistant's supervising physician in the performance of all practice-related activities as established in writing by the employer.

(b) Medical services rendered by the physician assistants may include, but are not limited to:

- (1) Obtaining patient histories and performing physical examinations;
- (2) Ordering, interpreting, or performing diagnostic and therapeutic procedures;
- (3) Formulating a diagnosis;
- (4) Developing and implementing a treatment plan;
- (5) Monitoring the effectiveness of therapeutic interventions;
- (6) Assisting at surgery;
- (7) Offering counseling and education to meet patient needs; and
- (8) Making appropriate referrals.

(c) Physician assistants may not advertise in any manner without the name or names of the supervising physician or physicians, as the case may be, or in any manner which implies that the physician assistant is an independent practitioner. [Eff and comp 12/22/97] (Auth: HRS §§453-5.1, 453-5.3) (Imp: HRS §§453-5.1, 453-5.3)

§16-85-50 Automatic inactivation for failing to be under supervision; restoration. (a) Certification shall be automatically inactivated if the physician assistant is no longer supervised by a physician or group of physicians.

(b) Certification may be reactivated provided the applicant pays all applicable fees, including renewal fees as applicable, and submits:

- (1) A statement signed by the licensed physician or group of physicians, as the case may be, who will direct and supervise the physician assistant;
 - (2) The name of the hospital or clinic employing the physician assistant if appropriate; and
 - (3) Evidence of current certification by the NCCPA.
- (c) The board may, when reviewing any application for reactivation, deny or reject the application in accordance with section 16-85-107. [Eff and comp 12/22/97] (Auth: HRS §453-5.1) (Imp: HRS §§453-5.1, 453-5.3)

§16-85-51 Revocation, limitation, suspension, or denial of certification. Any certification to practice as a physician assistant may be revoked, limited, or suspended by the board at any time in accordance with section 16-85-120 or may be denied for any one or more acts listed in chapter 453, HRS or this chapter. [Eff and comp 7/27/87; comp 10/28/89; comp 8/25/90; am and comp 12/22/97] (Auth: HRS §§453-5.1, 453-5.3) (Imp: HRS §453-5.3)

§16-85-52 Repealed. [R 12/22/97]

SUBCHAPTER 7

CERTIFYING EMERGENCY MEDICAL SERVICE PERSONNEL

§16-85-53 Authority and purpose. The purpose of this subchapter is to implement section 453-33, HRS, which delegates to the board the authority to adopt rules regarding certification of individuals as qualified in emergency medical services. [Eff 12/17/82; am and comp 7/27/87; comp 10/28/89; comp 8/25/90; am and comp 12/22/97] (Auth: HRS §453-33) (Imp: HRS §453-33)

§16-85-53.5 Definitions. As used in this subchapter:

"Advanced life support" shall be defined as provided in chapter 321, HRS, and its subsequent amendments which are incorporated into and made a part of this subchapter.