



Navigating the Web to Verify Licensure and Obtain Current Information on Scope of Practice for PAs and NPs

Physicians who employ a Nurse Practitioner (NP) or Physician Assistant (PA) in their practices should be familiar with the official California website for the employee's corresponding profession. **On these websites, a physician can annually verify licensure and obtain updates as the legislature continues to amend the scope of practice of these professionals.**

Physician Assistants

Physician Assistant information may be found at: www.pac.ca.gov. The site's "Frequently Asked Questions" tab provides a question and answer format for the supervising physician. It includes information regarding license verification and scope of practice. Additionally, the "Forms and Publications" section includes a sample Delegation of Services Agreement and important "Informational Bulletins," including one for the supervising physician.

Legislative Update - 2008

California Assembly Bill 3 (AB3) will make important changes to the scope of practice for Physician Assistants. All supervising physicians and PAs should familiarize themselves with these changes to ensure that they are in compliance. The Physician Assistant Committee of the California Department of Consumer Affairs is awaiting approval of the regulations needed to implement the changes from AB3. The committee intends to make a list of the approved course providers available to licensees on the website.

Once approval is granted, the following changes will be implemented:

- **Ratio of Supervising Physician to Physician Assistant:** The number of PAs which a physician may supervise was increased from two to four.
- **Chart Countersignature:** The number of charts the supervising physician is required to review

and sign has been lowered to five percent from 10 percent.

- **Patient Specific Authority:** AB3 eliminates the requirement that a PA obtain patient specific authority prior to writing a drug order for a Controlled Substance (Schedule II through V), if a physician assistant has completed an approved educational course in controlled substances, and if delegated by the supervising physician. If a physician assistant chooses not to take the educational course, the requirements for patient-specific authority remain unchanged.

Nurse Practitioners

Nurse practitioner information is found at: <http://www.rn.ca.gov/regulations/np.shtml>. This site also has a "Frequently Asked Questions" tab which contains similar information to that found on the physician assistant site. An explanation and sample Standardized Procedures can be found at: <http://www.rn.ca.gov/pdfs/regulations/npr-b-20.pdf>.

Legislative Update - 2008

Currently, Assembly Bill 1436 is pending passage which will expand the Scope of Practice for Nurse Practitioners in the area of educational requirements and supervision.

These sites will help physicians remain compliant with the constantly changing laws that affect their employees and their practice. Therefore, please take time to review the above websites and mark them on your web browser as "Favorites."

If you have further questions, the websites provided will have the most current information. But, as always, the Risk Management & Patient Safety Department will be available to assist you.

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Summary

The scope of practice for the NP or PA is specifically defined by California law. It requires that any physician who employs, or contracts with, a PA or NP have written Standardized Procedures or Delegation of Services Agreement.

When CAP sees claims around these issues, typical allegations are:

- The physician failed to supervise and/or monitor the PA or NP;
- The PA or NP had allowed licensure to expire;
- The PA or NP held himself out as a physician; the patient thought they were seeing a physician;
- The PA or NP exceeded his/her scope of practice (or scope of the Standardized Procedures/Delegation of Services Agreement); or,
- The PA or NP did not have the skill, experience, or expertise to perform the procedure.

Important Risk Management Strategies for Physicians

- Check background, qualifications, and experience when hiring.
- Create the Standard Procedures/Delegation of Services Agreement prior to hiring a PA or NP. Document all protocols for scope of practice; review and update annually.
- Establish that the services provided by the PA or NP are typically offered and are part of your documented treatment plans.
- Identify a plan of care, in conjunction with the PA or NP, and discuss it with the patient.
- Remain on-site when your PA or NP is seeing patients.
- Inform patients of your working relationship with the mid-level provider.
- Remain actively involved in the patient's plan of care.
- The PA or NP, whether full-time, part-time, a leased employee, or an independent contractor, must be supervised by a physician.
- Check the appropriate website frequently for changes to the legal scope of practice for your PA or NP.
- Annually, validate the PA or NP licensure.
- Notify the Cooperative of American Physicians, Inc. of any additions or changes to your licensed staff.

Please call our Membership Department at 800-252-7706 for information about the training needed to include cosmetic procedures in a practice, or if you add or change the number of PAs and/or NPs to your practice.

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