

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 58th Legislature (2022)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 3916

By: Roberts (Dustin) and
Pfeiffer

7
8 COMMITTEE SUBSTITUTE

9
10 An Act relating to professions and occupations;
11 amending 59 O.S. 2021, Section 519.6, which relates
12 to the Physician Assistant Act; modifying practice
13 agreements; and providing an effective date.

14 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

15 SECTION 1. AMENDATORY 59 O.S. 2021, Section 519.6, is
16 amended to read as follows:

17 Section 519.6 A. No health care services may be performed by a
18 physician assistant unless a current license is on file with and
19 approved by the State Board of Medical Licensure and Supervision.
20 All practice agreements and any amendments shall be filed with the
21 State Board of Medical Licensure and Supervision within ten (10)
22 business days of being executed. Practice agreements may be filed
23 electronically. The State Board of Medical Licensure and
24

1 Supervision shall not charge a fee for filing or amendments of
2 practice agreements.

3 B. A physician assistant may have practice agreements with
4 multiple allopathic or osteopathic physicians. Each physician shall
5 be in good standing with the State Board of Medical Licensure and
6 Supervision or the State Board of Osteopathic Examiners. The State
7 Board of Medical Licensure and Supervision or the State Board of
8 Osteopathic Examiners shall not limit the number of physician
9 assistants that an allopathic or osteopathic physician may delegate
10 to or limit the number of practice agreements that an allopathic or
11 osteopathic physician has with physician assistants, except as part
12 of a disciplinary action involving an allopathic or osteopathic
13 physician.

14 C. The delegating physician need not be physically present nor
15 be specifically consulted before each delegated patient care service
16 is performed by a physician assistant, so long as the delegating
17 physician and physician assistant are or can be easily in contact
18 with one another by means of telecommunication. In all patient care
19 settings, the delegating physician shall provide appropriate methods
20 of participating in health care services provided by the physician
21 assistant including:

- 22 a. being responsible for the formulation or approval of
23 all orders and protocols, whether standing orders,
24 direct orders or any other orders or protocols, which

1 direct the delivery of health care services provided
2 by a physician assistant, and periodically reviewing
3 such orders and protocols,

4 b. regularly reviewing the health care services provided
5 by the physician assistant and any problems or
6 complications encountered,

7 c. being available physically or through telemedicine or
8 direct telecommunications for consultation, assistance
9 with medical emergencies or patient referral,

10 d. reviewing a sample of outpatient medical records.

11 Such reviews shall take place at a site agreed upon
12 between the delegating physician and physician
13 assistant in the practice agreement which may also
14 occur using electronic or virtual conferencing, and

15 e. that it remains clear that the physician assistant is
16 an agent of the delegating physician; but, in no event
17 shall the delegating physician be an employee of the
18 physician assistant.

19 D. In patients with newly diagnosed complex illnesses, the
20 physician assistant shall contact the delegating physician within
21 forty-eight (48) hours of the physician assistant's initial
22 examination or treatment and schedule the patient for appropriate
23 evaluation by the delegating physician as directed by the physician.
24 The delegating physician shall determine which conditions qualify as

1 complex illnesses based on the clinical setting and the skill and
2 experience of the physician assistant.

3 E. 1. A physician assistant under the direction of a
4 delegating physician may prescribe written and oral prescriptions
5 and orders. The physician assistant may prescribe drugs, including
6 controlled medications in Schedules II through V pursuant to Section
7 2-312 of Title 63 of the Oklahoma Statutes, and medical supplies and
8 services as delegated by the delegating physician and as approved by
9 the State Board of Medical Licensure and Supervision after
10 consultation with the State Board of Pharmacy on the Physician
11 Assistant Drug Formulary.

12 2. A physician assistant may write an order for a Schedule II
13 drug for immediate or ongoing administration on site. Prescriptions
14 and orders for Schedule II drugs written by a physician assistant
15 must be included on a written protocol determined by the delegating
16 physician and approved by the medical staff committee of the
17 facility or by direct verbal order of the delegating physician.
18 Physician assistants may not dispense drugs, but may request,
19 receive, and sign for professional samples and may distribute
20 professional samples to patients.

21 F. A physician assistant may perform health care services in
22 patient care settings as authorized by the delegating physician.

23 G. Each physician assistant licensed under the Physician
24 Assistant Act shall keep his or her license available for inspection

1 at the primary place of business and shall, when engaged in
2 professional activities, identify himself or herself as a physician
3 assistant.

4 H. A physician assistant shall be bound by the provisions
5 contained in Sections 725.1 through 725.5 of ~~Title 59 of the~~
6 ~~Oklahoma Statutes~~ this title.

7 SECTION 2. This act shall become effective November 1, 2022.

8

9 COMMITTEE REPORT BY: COMMITTEE ON RULES, dated 03/03/2022 - DO PASS,
10 As Amended and Coauthored.

11

12

13

14

15

16

17

18

19

20

21

22

23

24