

House Study Bill 696

Bill Text

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1 1 Section 1. Section [148C.4](#), Code Supplement 2001, is
1 2 amended to read as follows:
1 3 148C.4 SERVICES PERFORMED BY ASSISTANTS.
1 4 1. A physician assistant may perform medical services when
1 5 the services are rendered under the supervision of the
1 6 physician or physicians specified in the physician assistant
1 7 license approved by the board. A trainee may perform medical
1 8 services when the services are rendered within the scope of an
1 9 approved program. For the purposes of this section, "medical
1 10 services rendered under the supervision of the physician or
1 11 physicians specified in the physician assistant license
1 12 approved by the board" includes making a pronouncement of
1 13 death for a patient whose death is anticipated if the death
1 14 occurs in a licensed hospital, a licensed health care
1 15 facility, a Medicare-certified home health agency, or a
1 16 Medicare-certified hospice program or facility, with notice of
1 17 the death to a physician and in accordance with the directions
1 18 of a physician.

1 19 2. a. Notwithstanding subsection 1, a physician assistant
1 20 licensed pursuant to this chapter or authorized to practice in
1 21 any other state who voluntarily and gratuitously, and other
1 22 than in the ordinary course of the physician assistant's
1 23 employment or practice, responds to a need for medical care
1 24 created by an emergency or a state or local disaster may
1 25 render such care that the physician assistant is able to
1 26 provide without the supervision of the physician or physicians
1 27 specified in the physician assistant license, or under such
1 28 supervision as is available. A physician who supervises a
1 29 physician assistant providing medical care pursuant to this
1 30 paragraph shall not be required to meet the requirements of
1 31 section 148C.3, subsection 4, relating to supervising
1 32 physician qualifications.

1 33 b. A physician assistant responding pursuant to paragraph
1 34 "a" shall not be liable for civil damages for any personal
1 35 injuries which result from the physician assistant's negligent
2 1 acts or omissions. A physician assistant shall, however, be
2 2 responsible for acts or omissions constituting gross
2 3 negligence, or reckless, wanton, or intentional misconduct, or
2 4 when the medical assistance is rendered by the physician
2 5 assistant at any hospital, physician's office, or other health
2 6 care delivery facility where those services are normally
2 7 rendered. A physician who supervises a physician assistant
2 8 responding pursuant to paragraph "a" shall not be liable for
2 9 civil damages for any personal injuries which result from any
2 10 acts or omissions of the physician assistant.

EXPLANATION

2 12 This bill provides that a physician assistant licensed
2 13 pursuant to Code chapter 148C to perform medical services
2 14 under the supervision of a physician or physicians specified
2 15 in the physician assistant's license, or authorized to
2 16 practice in any other state, who voluntarily and gratuitously,
2 17 and other than in the ordinary course of employment or
2 18 practice, responds to a need for medical care created by an
2 19 emergency or a state or local disaster, may render care
2 20 without the supervision of the physician or physicians
2 21 specified in the physician assistant license, or under such

2 22 supervision as is available. The bill provides that a
2 23 physician who supervises a physician assistant providing this
2 24 emergency medical care shall not be required to meet the
2 25 requirements of Code section 148C.3, subsection 4, relating to
2 26 supervising physician qualifications. The bill additionally
2 27 provides that the physician assistant shall not be liable for
2 28 civil damages for any personal injuries which result from
2 29 negligent acts or omissions, but shall be responsible for acts
2 30 or omissions constituting gross negligence, or reckless,
2 31 wanton, or intentional misconduct, or when the medical
2 32 assistance is rendered at any hospital, physician's office, or
2 33 other health care delivery entity where the physician
2 34 assistant's services are normally rendered. The bill extends
2 35 the immunity from civil damages to a supervising physician.
3 1 LSB 6738HC 79
3 2 rn/hk/91