

CS FOR SENATE BILL NO. 115(HSS) am

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-THIRD LEGISLATURE - SECOND SESSION

BY THE SENATE HEALTH AND SOCIAL SERVICES COMMITTEE

Amended: 4/24/24

Offered: 2/19/24

Sponsor(s): SENATORS TOBIN BY REQUEST, Giessel, Gray-Jackson, Hughes, Dunbar

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to physician assistants; relating to physicians; and relating to health**
2 **care insurance policies."**

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 *** Section 1.** AS 08.64.107 is amended to read:

5 **Sec. 08.64.107. Licensure and scope of practice [REGULATION] of**
6 **physician assistants.** The board shall adopt regulations regarding the licensure of
7 physician assistants and the medical services that they may perform, including the

8 (1) educational and other qualifications, including education in pain
9 management and opioid use and addiction;

10 (2) application and licensing procedures;

11 (3) scope of activities authorized **in this section**; [AND]

12 (4) responsibilities of **a** [THE] supervising or training physician; **and**

13 **(5) hours of practice experience, if any, that a physician assistant**
14 **must complete under a collaborative agreement to practice in a practice area that**

1 **is substantively different than the physician assistant's previous practice areas;**
 2 **the board may not require that a physician assistant complete more than 4,000**
 3 **hours under this paragraph, in addition to the hours required under (c) of this**
 4 **section, to practice in a new practice area without a collaborative agreement.**

5 * **Sec. 2.** AS 08.64.107 is amended by adding new subsections to read:

6 (b) A physician assistant may

7 (1) perform a comprehensive health history and physical examination
 8 of a patient;

9 (2) evaluate, diagnose, manage, and treat disease and injury;

10 (3) order, perform, and interpret diagnostic studies and therapeutic
 11 procedures;

12 (4) educate patients on health promotion and disease prevention;

13 (5) provide consultation upon request;

14 (6) write medical orders;

15 (7) supervise and delegate therapeutic and diagnostic measures to
 16 licensed or unlicensed personnel, in compliance with regulations adopted under
 17 AS 08.64.106;

18 (8) request, receive, and sign for professional samples and distribute
 19 professional samples to patients;

20 (9) authenticate by signature, certification, stamp, verification,
 21 affidavit, or endorsement a document that a physician would be authorized to
 22 authenticate by signature, certification, stamp, verification, affidavit, or endorsement;

23 (10) prescribe, dispense, order, administer, and procure drugs and
 24 medical devices;

25 (11) prescribe, dispense, order, and administer a schedule II, III, IV, or
 26 V controlled substance under federal law if the physician assistant has a valid federal
 27 Drug Enforcement Administration registration number;

28 (12) plan and initiate a therapeutic regimen that includes ordering and
 29 prescribing non-pharmacological interventions, including durable medical equipment,
 30 nutrition, blood, blood products, home health care, hospice, physical or occupational
 31 therapy, and other diagnostic support services; and

1 (13) perform any other medical service that the physician assistant is
2 competent to perform based on education, training, and experience.

3 (c) Unless additional hours are required by the board to practice in a new
4 practice area under (a)(5) of this section, a physician assistant with less than 4,000
5 hours of practice experience may practice only under a collaborative agreement in a
6 hospital, clinic, or other clinical setting in which the physician assistant works with
7 one or more collaborating physicians to provide patient care. A collaborating
8 physician or physicians shall oversee the performance, practice, and activities of the
9 physician assistant, and the physician assistant must be able to communicate during
10 work hours, in person or by telephone or another telecommunications device, with one
11 or more collaborating physicians who, collectively, practice in each of the physician
12 assistant's practice areas. The collaborative agreement must

13 (1) be in writing;

14 (2) describe how collaboration will occur in accordance with this
15 chapter;

16 (3) describe the methods to be used for evaluating the physician
17 assistant's competency, knowledge, and skills;

18 (4) establish that the physician assistant and collaborating physician
19 have knowledge of the physician assistant's qualifications and limitations in caring for
20 patients;

21 (5) require the physician assistant to consult with the collaborating
22 physician while remaining responsible for care provided by the physician assistant;

23 (6) require the collaborating physician to give direction and guidance
24 to the physician assistant; and

25 (7) describe the physician assistant's practice areas and the
26 collaborating physicians who practice in those areas.

27 (d) The physician assistant or collaborating physician shall provide a copy of
28 the collaborative agreement, along with documentation of compliance, to the board
29 upon request of the board.

30 (e) In this section, "collaborative agreement" means a plan that is mutually
31 agreed on by a physician assistant and a collaborating physician that designates the

1 scope of services the physician assistant may provide to patients.

2 * **Sec. 3.** AS 08.64.170(a) is amended to read:

3 (a) A person may not practice medicine, podiatry, or osteopathy in the state
4 unless the person is licensed under this chapter, except that

5 (1) a physician assistant may examine, diagnose, or treat persons **as**
6 **authorized in AS 08.64.107** [UNDER THE SUPERVISION, CONTROL, AND
7 RESPONSIBILITY OF EITHER A PHYSICIAN LICENSED UNDER THIS
8 CHAPTER OR A PHYSICIAN EXEMPTED FROM LICENSING UNDER
9 AS 08.64.370];

10 (2) a person who is licensed or authorized under another law of the
11 state may engage in a practice that is authorized under that law; and

12 (3) a person may perform routine medical duties delegated under
13 AS 08.64.106.

14 * **Sec. 4.** AS 11.71.900(20) is amended to read:

15 (20) "practitioner" means

16 (A) a physician, **physician assistant**, dentist, advanced practice
17 registered nurse, optometrist, veterinarian, scientific investigator, or other
18 person licensed, registered, or otherwise permitted to distribute, dispense,
19 conduct research with respect to, or to administer or use in teaching or
20 chemical analysis a controlled substance in the course of professional practice
21 or research in the state;

22 (B) a pharmacy, hospital, or other institution licensed,
23 registered, or otherwise permitted to distribute, dispense, conduct research with
24 respect to, or to administer a controlled substance in the course of professional
25 practice or research in the state;

26 * **Sec. 5.** AS 21.07.010(b) is amended to read:

27 (b) A contract between a participating health care provider and a health care
28 insurer that offers a health care insurance policy may not contain a provision that

29 (1) has as its predominant purpose the creation of direct financial
30 incentives to the health care provider for withholding covered medical care services
31 that are medically necessary; nothing in this paragraph shall be construed to prohibit a

1 contract between a participating health care provider and a health care insurer from
 2 containing incentives for efficient management of the utilization and cost of covered
 3 medical care services;

4 (2) requires the provider to contract for all products that are currently
 5 offered or that may be offered in the future by the health care insurer; [OR]

6 (3) requires the health care provider to be compensated for medical
 7 care services performed at the same rate as the health care provider has contracted
 8 with another health care insurer; or

9 **(4) imposes a practice, education, or collaboration requirement on**
 10 **physician assistants that is inconsistent with or more restrictive than the**
 11 **requirements imposed under AS 08.64.107 or a regulation adopted by the State**
 12 **Medical Board.**

13 * **Sec. 6.** AS 23.30.395(3) is amended to read:

14 (3) "attending physician" means one of the following designated by the
 15 employee under AS 23.30.095(a) or (b):

16 (A) a licensed medical doctor;

17 (B) a licensed doctor of osteopathy;

18 (C) a licensed dentist or dental surgeon;

19 (D) a licensed physician assistant [ACTING UNDER
 20 SUPERVISION OF A LICENSED MEDICAL DOCTOR OR DOCTOR OF
 21 OSTEOPATHY];

22 (E) a licensed advanced practice registered nurse; or

23 (F) a licensed chiropractor;

24 * **Sec. 7.** AS 33.30.901(10) is amended to read:

25 (10) "health care provider" means

26 (A) a physician assistant licensed to practice in the state [AND
 27 WORKING UNDER THE DIRECT SUPERVISION OF A LICENSED
 28 PHYSICIAN OR PSYCHIATRIST];

29 (B) a mental health professional as defined in AS 47.30.915; or

30 (C) an advanced practice registered nurse as defined in
 31 AS 08.68.850;