

1 AN ACT concerning physician assistants.

2 Be it enacted by the People of the State of Illinois,  
3 represented in the General Assembly:

4 Section 5. The Medical Practice Act of 1987 is amended  
5 by changing Section 54.5 as follows:

6 (225 ILCS 60/54.5)

7 (Section scheduled to be repealed on January 1, 2007)

8 Sec. 54.5. Physician delegation of authority.

9 (a) A physician Physicians licensed to practice medicine  
10 in all its branches may delegate care and treatment  
11 responsibilities to a physician assistant under guidelines in  
12 accordance with the requirements of the Physician Assistant  
13 Practice Act of 1987. A physician licensed to practice  
14 medicine in all its branches may enter into supervising  
15 physician agreements with no more than 2 physician  
16 assistants.

17 (b) A physician licensed to practice medicine in all its  
18 branches in active clinical practice may collaborate with an  
19 advanced practice nurse in accordance with the requirements  
20 of Title 15 of the Nursing and Advanced Practice Nursing Act.  
21 Collaboration is for the purpose of providing medical  
22 direction, and no employment relationship is required. A  
23 written collaborative agreement shall conform to the  
24 requirements of Sections 15-15 and 15-20 of the Nursing and  
25 Advanced Practice Nursing Act. The written collaborative  
26 agreement shall be for services the collaborating physician  
27 generally provides to his or her patients in the normal  
28 course of clinical medical practice. Physician medical  
29 direction shall be adequate with respect to collaboration  
30 with certified nurse practitioners, certified nurse midwives,  
31 and clinical nurse specialists if a collaborating physician:

1           (1) participates in the joint formulation and joint  
2 approval of orders or guidelines with the advanced  
3 practice nurse and periodically reviews such orders and  
4 the services provided patients under such orders in  
5 accordance with accepted standards of medical practice  
6 and advanced practice nursing practice;

7           (2) is on site at least once a month to provide  
8 medical direction and consultation; and

9           (3) is available through telecommunications for  
10 consultation on medical problems, complications, or  
11 emergencies or patient referral.

12           (b-5) An anesthesiologist or physician licensed to  
13 practice medicine in all its branches may collaborate with a  
14 certified registered nurse anesthetist in accordance with  
15 Section 15-25 of the Nursing and Advanced Practice Nursing  
16 Act. Medical direction for a certified registered nurse  
17 anesthetist shall be adequate if:

18           (1) an anesthesiologist or a physician participates  
19 in the joint formulation and joint approval of orders or  
20 guidelines and periodically reviews such orders and the  
21 services provided patients under such orders; and

22           (2) for anesthesia services, the anesthesiologist  
23 or physician participates through discussion of and  
24 agreement with the anesthesia plan and is physically  
25 present and available on the premises during the delivery  
26 of anesthesia services for diagnosis, consultation, and  
27 treatment of emergency medical conditions. Anesthesia  
28 services in a hospital shall be conducted in accordance  
29 with Section 10.7 of the Hospital Licensing Act and in an  
30 ambulatory surgical treatment center in accordance with  
31 Section 6.5 of the Ambulatory Surgical Treatment Center  
32 Act.

33           (b-10) The anesthesiologist or operating physician must  
34 agree with the anesthesia plan prior to the delivery of

1 services.

2 (c) The supervising physician shall have access to the  
3 medical records of all patients attended by a physician  
4 assistant. The collaborating physician shall have access to  
5 the medical records of all patients attended to by an  
6 advanced practice nurse.

7 (d) Nothing in this Act shall be construed to limit the  
8 delegation of tasks or duties by a physician licensed to  
9 practice medicine in all its branches to a licensed practical  
10 nurse, a registered professional nurse, or other personnel.

11 (e) A physician shall not be liable for the acts or  
12 omissions of a physician assistant or advanced practice nurse  
13 solely on the basis of having signed a supervision agreement  
14 or guidelines or a collaborative agreement, an order, a  
15 standing medical order, a standing delegation order, or other  
16 order or guideline authorizing a physician assistant or  
17 advanced practice nurse to perform acts, unless the physician  
18 has reason to believe the physician assistant or advanced  
19 practice nurse lacked the competency to perform the act or  
20 acts or commits willful and wanton misconduct.

21 (Source: P.A. 90-742, eff. 8-13-98; 91-414, eff. 8-6-99.)