



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

HB3834

Introduced 2/25/2005, by Rep. JoAnn D. Osmond

SYNOPSIS AS INTRODUCED:

225 ILCS 95/7
745 ILCS 49/46

from Ch. 111, par. 4607

Amends the Physician Assistant Practice Act of 1987. Allows a physician assistant who is licensed under the Act, licensed or certified by another regulatory jurisdiction in the United States, or credentialed as a physician assistant by a federal employer to respond to a need for medical care created by a natural disaster, accident, or other emergency and to render the care that he or she is able to provide without supervision or with supervision, as it is available. Exempts a physician who supervises a physician assistant who is providing medical care in response to a natural disaster, accident, or other emergency from the requirements of the Act as they relate to supervising physicians. Amends the Good Samaritan Act to exempt a physician assistant who is licensed or certified by another regulatory jurisdiction in the United States or credentialed as a physician assistant by a federal employer from civil liability for emergency care. Effective immediately.

LRB094 10650 RAS 41008 b

1 AN ACT concerning regulation.

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

4 Section 5. The Physician Assistant Practice Act of 1987 is
5 amended by changing Section 7 as follows:

6 (225 ILCS 95/7) (from Ch. 111, par. 4607)

7 (Section scheduled to be repealed on January 1, 2008)

8 Sec. 7. Supervision requirements. No more than 2 physician
9 assistants shall be supervised by the supervising physician,
10 although a physician assistant shall be able to hold more than
11 one professional position. Each supervising physician shall
12 file a notice of supervision of such physician assistant
13 according to the rules of the Department. However, the
14 alternate supervising physician may supervise more than 2
15 physician assistants when the supervising physician is unable
16 to provide such supervision consistent with the definition of
17 alternate physician in Section 4.

18 Physician assistants shall be supervised only by
19 physicians as defined in this Act who are engaged in clinical
20 practice, or in clinical practice in public health or other
21 community health facilities.

22 Nothing in this Act shall be construed to prohibit, in
23 response to a natural disaster, accident, or other emergency, a
24 physician assistant who is licensed under this Act, licensed or
25 certified by another regulatory jurisdiction in the United
26 States, or credentialed as a physician assistant by a federal
27 employer from responding to a need for medical care created by
28 a natural disaster, accident, or other emergency and rendering
29 that care that he or she is able to provide without supervision
30 or with supervision, as it is available.

31 A physician who supervises a physician assistant who is
32 providing medical care in response to a natural disaster,

1 accident, or other emergency is not required to comply with the
2 statutory requirements of this Act as they relate to
3 supervising physicians.

4 Nothing in this Act shall be construed to limit the
5 delegation of tasks or duties by a physician to a nurse or
6 other appropriately trained personnel.

7 Nothing in this Act shall be construed to prohibit the
8 employment of physician assistants by a hospital, nursing home
9 or other health care facility where such physician assistants
10 function under the supervision of a supervising physician.

11 Physician assistants may be employed by the Department of
12 Corrections or the Department of Human Services (as successor
13 to the Department of Mental Health and Developmental
14 Disabilities) for service in facilities maintained by such
15 Departments and affiliated training facilities in programs
16 conducted under the authority of the Director of Corrections or
17 the Secretary of Human Services. Each physician assistant
18 employed by the Department of Corrections or the Department of
19 Human Services (as successor to the Department of Mental Health
20 and Developmental Disabilities) shall be under the supervision
21 of a physician engaged in clinical practice and direct patient
22 care. Duties of each physician assistant employed by such
23 Departments are limited to those within the scope of practice
24 of the supervising physician who is fully responsible for all
25 physician assistant activities.

26 A physician assistant may be employed by a practice group
27 or other entity employing multiple physicians at one or more
28 locations. In that case, one of the physicians practicing at a
29 location shall be designated the supervising physician. The
30 other physicians with that practice group or other entity who
31 practice in the same general type of practice or specialty as
32 the supervising physician may supervise the physician
33 assistant with respect to their patients without being deemed
34 alternate supervising physicians for the purpose of this Act.

35 (Source: P.A. 93-149, eff. 7-10-03.)

1 Section 10. The Good Samaritan Act is amended by changing
2 Section 46 as follows:

3 (745 ILCS 49/46)

4 Sec. 46. Physician assistant; exemption from civil
5 liability for emergency care. A person licensed as a physician
6 assistant under the Physician Assistant Practice Act of 1987, l
7 licensed or certified by another regulatory jurisdiction in the
8 United States, or credentialed as a physician assistant by a
9 federal employer, who in good faith provides emergency care
10 without fee to a person, l shall not be liable for civil damages
11 as a result of his or her acts or omissions, except for willful
12 or wanton misconduct on the part of the person in providing the
13 care.

14 (Source: P.A. 91-446, eff. 8-6-99.)

15 Section 99. Effective date. This Act takes effect upon
16 becoming law.