



# SENATE BILL No. 432

March 28, 1995, Introduced by Senators SHUGARS, SCHWARZ, BYRUM, KOIVISTO and O'BRIEN and referred to the Committee on Health Policy and Senior Citizens.

A bill to amend sections 17048, 17076, and 17548 of Act No. 368 of the Public Acts of 1978, entitled as amended "Public health code," as amended by Act No. 247 of the Public Acts of 1990, being sections 333.17048, 333.17076, and 333.17548 of the Michigan Compiled Laws; and to add section 17212.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 17048, 17076, and 17548 of Act No. 368  
2 of the Public Acts of 1978, as amended by Act No. 247 of the  
3 Public Acts of 1990, being sections 333.17048, 333.17076, and  
4 333.17548 of the Michigan Compiled Laws, are amended and  
5 section 17212 is added to read as follows:

6 Sec. 17048. (1) Except as otherwise provided in this  
7 subsection and section 17049(5), a physician who is a sole

1 practitioner or who practices in a group of physicians and treats  
2 patients on an outpatient basis shall not supervise more than 4  
3 physician's assistants. If a physician described in this subsec-  
4 tion supervises physician's assistants at more than 1 practice  
5 site, the physician shall not supervise more than 2 physician's  
6 assistants by a method other than the physician's actual physical  
7 presence at the practice site.

8 (2) A physician who is employed by, under contract or sub-  
9 contract to, or has privileges at a health facility or agency  
10 licensed under article 17 or a state correctional facility may  
11 supervise more than 4 physician's assistants at the health facil-  
12 ity or agency or STATE correctional facility.

13 (3) To the extent that a particular selected medical care  
14 service requires extensive medical training, education, or abil-  
15 ity or pose serious risks to the health and safety of patients,  
16 the board may prohibit or otherwise restrict the delegation of  
17 that medical care service or may require higher levels of  
18 supervision.

19 (4) A physician shall not delegate ultimate responsibility  
20 for the quality of medical care services, even if the MEDICAL  
21 CARE services are provided by a physician's assistant.

22 (5) The board may promulgate rules for the delegation by a  
23 supervising physician to a physician's assistant of the function  
24 of prescription of drugs. The rules may define the drugs or  
25 classes of drugs THE PRESCRIPTION OF which ~~may~~ SHALL not be  
26 delegated and other procedures and protocols necessary to promote  
27 consistency with federal and state drug control and enforcement

1 laws. Until the rules are promulgated, a supervising physician  
2 may delegate the prescription of drugs other than controlled sub-  
3 stances as defined by article 7 or federal law. When delegated  
4 prescription occurs, both the physician's assistant's name and  
5 the supervising physician's name shall be used, recorded, or oth-  
6 erwise indicated in connection with each individual  
7 prescription.

8 (6) A SUPERVISING PHYSICIAN MAY DELEGATE IN WRITING TO A  
9 PHYSICIAN'S ASSISTANT THE ORDERING, RECEIPT, AND DISPENSING OF  
10 COMPLIMENTARY STARTER DOSE DRUGS OTHER THAN CONTROLLED SUBSTANCES  
11 AS DEFINED BY ARTICLE 7 OR FEDERAL LAW. WHEN THE DELEGATED  
12 ORDERING, RECEIPT, OR DISPENSING OF COMPLIMENTARY STARTER DOSE  
13 DRUGS OCCURS, BOTH THE PHYSICIAN'S ASSISTANT'S NAME AND THE  
14 SUPERVISING PHYSICIAN'S NAME SHALL BE USED, RECORDED, OR OTHER-  
15 WISE INDICATED IN CONNECTION WITH EACH ORDER, RECEIPT, OR  
16 DISPENSING. AS USED IN THIS SUBSECTION, "COMPLIMENTARY STARTER  
17 DOSE" MEANS THAT TERM AS DEFINED IN SECTION 17745.

18 Sec. 17076. (1) Except in an emergency situation, a  
19 physician's assistant shall provide medical care services only  
20 under the supervision of a physician or properly designated  
21 alternative physician, and only if those medical care services  
22 are within the scope of practice of the supervising physician and  
23 are delegated by the supervising physician.

24 (2) A physician's assistant shall provide medical care serv-  
25 ices only in a medical care setting where the supervising physi-  
26 cian regularly sees patients. However, a physician's assistant  
27 may make calls or go on rounds UNDER THE SUPERVISION OF A

1 PHYSICIAN in private homes, public institutions, emergency  
2 vehicles, ambulatory care clinics, hospitals, intermediate or  
3 extended care facilities, health maintenance organizations, nurs-  
4 ing homes, or other health care facilities to the extent permit-  
5 ted by the bylaws, rules, or regulations of the ~~facilities or~~  
6 ~~organizations under the supervision of a physician~~ GOVERNING  
7 FACILITY OR ORGANIZATION, IF ANY.

8 (3) A physician's assistant may prescribe drugs as a dele-  
9 gated act of a supervising physician, but shall do so only in  
10 accordance with procedures and protocol for the prescription  
11 established by ~~the boards in~~ rule OF THE APPROPRIATE BOARD.  
12 Until the rules are promulgated, a physician's assistant may pre-  
13 scribe a drug other than a controlled substance as defined by  
14 article 7 or federal law, as a delegated act of the supervising  
15 physician. When delegated prescription occurs, the supervising  
16 physician's name shall be used, recorded, or otherwise indicated  
17 in connection with each individual prescription so that the indi-  
18 vidual who dispenses or administers the prescription knows under  
19 whose delegated authority the physician's assistant is  
20 prescribing.

21 (4) A PHYSICIAN'S ASSISTANT MAY ORDER, RECEIVE, AND DISPENSE  
22 COMPLIMENTARY STARTER DOSE DRUGS OTHER THAN CONTROLLED SUBSTANCES  
23 AS DEFINED BY ARTICLE 7 OR FEDERAL LAW AS A DELEGATED ACT OF A  
24 SUPERVISING PHYSICIAN. WHEN THE DELEGATED ORDERING, RECEIPT, OR  
25 DISPENSING OF COMPLIMENTARY STARTER DOSE DRUGS OCCURS, THE SUPER-  
26 VISING PHYSICIAN'S NAME SHALL BE USED, RECORDED, OR OTHERWISE  
27 INDICATED IN CONNECTION WITH EACH ORDER, RECEIPT, OR DISPENSING

1 SO THAT THE INDIVIDUAL WHO PROCESSES THE ORDER OR DELIVERS THE  
2 COMPLIMENTARY STARTER DOSE DRUGS OR TO WHOM THE COMPLIMENTARY  
3 STARTER DOSE DRUGS ARE DISPENSED KNOWS UNDER WHOSE DELEGATED  
4 AUTHORITY THE PHYSICIAN'S ASSISTANT IS ORDERING, RECEIVING, OR  
5 DISPENSING. AS USED IN THIS SUBSECTION, "COMPLIMENTARY STARTER  
6 DOSE" MEANS THAT TERM AS DEFINED IN SECTION 17745.

7 SEC. 17212. IN ADDITION TO ACTS, TASKS, AND FUNCTIONS DELE-  
8 GATED UNDER SECTION 16215, 17745, 17745A, OR 17745B, A SUPERVIS-  
9 ING PHYSICIAN MAY DELEGATE IN WRITING TO A REGISTERED PROFES-  
10 SIONAL NURSE THE ORDERING, RECEIPT, AND DISPENSING OF COMPLEMEN-  
11 TARY STARTER DOSE DRUGS OTHER THAN CONTROLLED SUBSTANCES AS  
12 DEFINED BY ARTICLE 7 OR FEDERAL LAW. WHEN THE DELEGATED ORDER-  
13 ING, RECEIPT, OR DISPENSING OF COMPLIMENTARY STARTER DOSE DRUGS  
14 OCCURS, BOTH THE REGISTERED PROFESSIONAL NURSE'S NAME AND THE  
15 SUPERVISING PHYSICIAN'S NAME SHALL BE USED, RECORDED, OR OTHER-  
16 WISE INDICATED IN CONNECTION WITH EACH ORDER, RECEIPT, OR  
17 DISPENSING. AS USED IN THIS SUBSECTION, "COMPLIMENTARY STARTER  
18 DOSE" MEANS THAT TERM AS DEFINED IN SECTION 17745.

19 Sec. 17548. (1) Except as otherwise provided in this sub-  
20 section and section 17549(5), a physician who is a sole practi-  
21 tioner or who practices in a group of physicians and treats  
22 patients on an outpatient basis shall not supervise more than 4  
23 physician's assistants. If a physician described in this subsec-  
24 tion supervises physician's assistants at more than 1 practice  
25 site, the physician shall not supervise more than 2 physician's  
26 assistants by a method other than the physician's actual physical  
27 presence at the practice site.

1 (2) A physician who is employed by or under contract or  
2 subcontract to or has privileges at a health facility licensed  
3 under article 17 or a state correctional facility may supervise  
4 more than 4 physician's assistants at the health facility or  
5 agency or STATE correctional facility.

6 (3) To the extent that a particular selected medical care  
7 service requires extensive medical training, education, or abil-  
8 ity or pose serious risks to the health and safety of patients,  
9 the board may prohibit or otherwise restrict the delegation of  
10 that medical care service or may require higher levels of  
11 supervision.

12 (4) A physician shall not delegate ultimate responsibility  
13 for the quality of medical care services, even if the MEDICAL  
14 CARE services are provided by a physician's assistant.

15 (5) The board may promulgate rules for the delegation by a  
16 supervising physician to a physician's assistant of the function  
17 of prescription of drugs. The rules may define the drugs or  
18 classes of drugs THE PRESCRIPTION OF which ~~may~~ SHALL not be  
19 delegated and other procedures and protocols necessary to promote  
20 consistency with federal and state drug control and enforcement  
21 laws. Until the rules are promulgated, a supervising physician  
22 may delegate the prescription of drugs other than controlled sub-  
23 stances as defined by article 7 or federal law. When delegated  
24 prescription occurs, both the physician's assistant's name and  
25 the supervising physician's name shall be used, recorded, or oth-  
26 erwise indicated in connection with each individual  
27 prescription.

1 (6) A SUPERVISING PHYSICIAN MAY DELEGATE IN WRITING TO A  
2 PHYSICIAN'S ASSISTANT THE ORDERING, RECEIPT, AND DISPENSING OF  
3 COMPLIMENTARY STARTER DOSE DRUGS OTHER THAN CONTROLLED SUBSTANCES  
4 AS DEFINED BY ARTICLE 7 OR FEDERAL LAW. WHEN THE DELEGATED  
5 ORDERING, RECEIPT, OR DISPENSING OF COMPLIMENTARY STARTER DOSE  
6 DRUGS OCCURS, BOTH THE PHYSICIAN'S ASSISTANT'S NAME AND THE  
7 SUPERVISING PHYSICIAN'S NAME SHALL BE USED, RECORDED, OR OTHER-  
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