



Senate Fiscal Agency
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BILL ANALYSIS

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Senate Bill 1075 (Substitute S-1 as reported)
Sponsor: Senator Tom George
Committee: Health Policy

Date Completed: 7-6-04

RATIONALE

The Public Health Code and administrative rules authorize physicians to delegate medical care services, including the prescription of drugs, to a physician's assistant. Rules promulgated in the early 1980s require a physician to countersign orders written by a physician's assistant in a nursing home or hospice within 48 hours (R 325.20605 and R 325.13303, respectively). This requirement reportedly hinders the timely delivery of health care services to senior citizens. Some people believe that a physician should not have to countersign orders written by a physician's assistant if the physician has delegated certain medical care services to the physician's assistant.

CONTENT

The bill would amend the Public Health Code to specify that notwithstanding any law or rule to the contrary, a physician would not be required to countersign orders written in a patient's clinical record by a physician's assistant to whom the physician had delegated the performance of medical care services for a patient.

MCL 333.17049 & 333.17549

BACKGROUND

Under Sections 17049 and 17549 of the Public Health Code, a physician who supervises a physician's assistant may delegate to the physician's assistant the performance of medical care services, subject to Sections 17048 and 17548, for a patient who is under the physician's case management responsibility, if the delegation is consistent with the physician's assistant's training. The physician is responsible for the clinical supervision of the physician's assistant. (Under Sections 17048 and 17548, the Board of Medicine and the Board

of Osteopathic Medicine and Surgery may promulgate rules for the delegation of the function of prescribing drugs.)

ARGUMENTS

(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)

Supporting Argument

The bill would address a problem caused by rules promulgated two decades ago, when physician's assistants were not as widely used, requiring a physician to countersign orders written by a physician's assistant in a nursing home or hospice within 48 hours. Reportedly, the time constraint places an undue burden upon physician's assistants and physicians. The rules are antiquated and unnecessary in light of the extensive training and qualifications of physician's assistants. Physicians and physician's assistants work as a team in nursing homes to control costs and keep hospital admissions down. Furthermore, the bill would not preclude individual facilities from creating their own policies regarding a physician's responsibilities related to countersigning orders.

Legislative Analyst: Julie Koval

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: Dana Patterson

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.