

GENERAL ASSEMBLY OF NORTH CAROLINA
1997 SESSION

SESSION LAW 1997-511
SENATE BILL 595

AN ACT TO AUTHORIZE THE NORTH CAROLINA MEDICAL BOARD TO LICENSE INSTEAD OF APPROVE PHYSICIAN ASSISTANTS, TO ISSUE A PHYSICIAN ASSISTANT LIMITED VOLUNTEER LICENSE, AND TO MAKE OTHER CHANGES IN THE STATUTES REGULATING PHYSICIAN ASSISTANTS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 90-2(d) reads as rewritten:

"(d) Any member of the Board may be removed from office by the Governor for good cause shown. Any vacancy in the physician membership of the Board shall be filled for the period of the unexpired term by the Governor from a list of physicians submitted by the North Carolina Medical Society Executive Council. Any vacancy in the ~~public~~-public, physician assistant, or nurse practitioner membership of the Board shall be filled by the Governor for the unexpired term."

Section 2. G.S. 90-11 reads as rewritten:

"§ 90-11. Qualifications of applicant for license.

Every applicant for a license to practice medicine or ~~for approval~~ to perform medical ~~acts~~-acts, tasks, and functions as a physician assistant in the State shall satisfy the North Carolina Medical Board that ~~such~~-the applicant is of good moral character and meets the other qualifications for the issuance of ~~such~~-a license ~~or for such approval~~ before any such license ~~or approval~~ is granted by the Board to ~~such~~-the applicant."

Section 3. Article 1 of Chapter 90 of the General Statutes is amended by adding a new section to read:

"§ 90-12.1. Physician assistant limited volunteer license.

The Board shall issue a limited volunteer license which shall authorize a physician assistant to perform medical acts, tasks, and functions without payment or other compensation if the physician assistant meets one of the following:

- (1) Holds a current license or registration in another state and submits proof of this status to the Board.
- (2) Holds a current license in this State and is not currently employed as a physician assistant.
- (3) Is a member of the United States armed services or is employed by the Veterans' Administration or another federal agency."

Section 4. G.S. 90-18(13) reads as rewritten:

- "(13) ~~Any act, task or function performed by an assistant to a person licensed as a physician by the North Carolina Medical Board when~~
- a. ~~Such assistant is approved by and annually registered with the Board as one qualified by training or experience to function as an assistant to a physician, except that no more than two assistants may be currently registered for any physician, and~~
 - b. ~~Such act, task or function is performed at the direction or under the supervision of such physician, in accordance with rules and regulations promulgated by the Board, and~~
 - e. ~~The services of the assistant are limited to assisting the physician in the particular field or fields for which the assistant has been trained, approved and registered;~~

The performance of any medical acts, tasks, and functions by a licensed physician assistant at the direction or under the supervision of a physician in accordance with rules adopted by the Board.~~Provided that this~~ This subdivision shall not limit or prevent any physician from delegating to a qualified person any acts, tasks or tasks, and functions which that are otherwise permitted by law or established by custom. The Board shall authorize physician assistants licensed in this State or another state to perform specific medical acts, tasks, and functions during a disaster."

Section 5. G.S. 90-18.1 reads as rewritten:

"§ 90-18.1. Limitations on physician assistants.

(a) Any person who is ~~approved~~ licensed under the provisions of ~~G.S. 90-18(13)~~ G.S. 90-11 to perform medical acts, ~~tasks or tasks,~~ and functions as an assistant to a physician may use the title 'physician assistant.' ~~assistant~~'. Any other person who uses the title in any form or holds out to be a physician assistant or to be so ~~approved,~~ licensed, shall be deemed to be in violation of this Article.

(b) Physician assistants are authorized to write prescriptions for drugs under the following conditions:

- (1) The North Carolina Medical Board has adopted regulations governing the approval of individual physician assistants to write prescriptions with such limitations as the Board may determine to be in the best interest of patient health and ~~safety;~~ safety.
- (2) The physician assistant ~~has current approval from~~ holds a current license issued by the Board; ~~Board.~~
- (3) The North Carolina Medical Board has assigned an identification number to the physician assistant which is shown on the written ~~prescription; and~~ prescription.
- (4) The supervising physician has provided to the physician assistant written instructions about indications and contraindications for prescribing drugs and a written policy for periodic review by the physician of the drugs prescribed.

(c) Physician assistants are authorized to compound and dispense drugs under the following conditions:

- (1) The function is performed under the supervision of a licensed ~~pharmacist; and pharmacist.~~
 - (2) Rules and regulations of the North Carolina Board of Pharmacy governing this function are complied with.
 - (3) The physician assistant holds a current license issued by the Board.
- (d) Physician assistants are authorized to order medications, tests and treatments in hospitals, clinics, ~~nursing homes~~ nursing homes, and other health facilities under the following conditions:
- (1) The North Carolina Medical Board has adopted regulations governing the approval of individual physician assistants to order medications, ~~tests~~ tests, and treatments with such limitations as the Board may determine to be in the best interest of patient health and ~~safety~~; safety.
 - (2) The physician assistant ~~has~~ holds a current approval from ~~license issued by the Board~~; Board.
 - (3) The supervising physician has provided to the physician assistant written instructions about ordering medications, ~~tests~~ tests, and treatments, and when appropriate, specific oral or written instructions for an individual patient, with provision for review by the physician of the order within a reasonable time, as determined by the Board, after the medication, ~~test~~ test, or treatment is ~~ordered~~; and ordered.
 - (4) The hospital or other health facility has adopted a written policy, approved by the medical staff after consultation with the nursing administration, about ordering medications, ~~tests~~ tests, and treatments, including procedures for verification of the physician assistants' orders by nurses and other facility employees and such other procedures as are in the interest of patient health and safety.
- (e) Any prescription written by a physician assistant or order given by a physician assistant for medications, ~~tests~~ tests, or treatments shall be deemed to have been authorized by the physician approved by the Board as the supervisor of the physician assistant and ~~such~~ the supervising physician shall be responsible for authorizing ~~such~~ the prescription or order.
- (f) Any registered nurse or licensed practical nurse who receives an order from a physician assistant for medications, ~~tests~~ tests, or treatments is authorized to perform that order in the same manner as if it were received from a licensed physician."

Section 6. This act is effective when it becomes law.

In the General Assembly read three times and ratified this the 28th day of August, 1997.

s/ Marc Basnight
President Pro Tempore of the Senate

s/ Harold J. Brubaker
Speaker of the House of Representatives

s/ James B. Hunt, Jr.
Governor

Approved 10:27 a.m. this 17th day of September, 1997