

PROPOSED REGULATIONS

Title of Regulations: 18 VAC 85-50-10 et seq. Regulations Governing the Practice of Physician Assistants

Statutory Authority: § 54.1-2400 and Chapter 29 (§ 54.1-2900 et. seq.) of Title 54.1 of the Code of Virginia

Effective Date:

Summary: The Board has adopted regulations governing the practice of physician assistants. These regulations protect the health, safety and welfare of the citizens of the Commonwealth by establishing educational and examination requirements, renewal and reinstatement requirements, and practice standards.

18 VAC 85-50-35. Fees.

Unless otherwise provided, the following fees shall not be refundable:

1. The initial application fee for a license, payable at the time application is filed, shall be \$130.
2. The biennial fee for renewal of an active license shall be \$135 and for renewal of an inactive license shall be \$70 payable in each odd numbered year in the birth month of the licensee.
3. The additional fee for late renewal of licensure within one renewal cycle shall be \$50.
4. A restricted volunteer license shall expire 12 months from the date of issuance and may be renewed without charge by receipt of a renewal application which verifies that the physician assistant continues to comply with provisions of § 54.1-2951.3 of the Code of Virginia.
5. The fee for review and approval of a new protocol submitted following initial licensure shall be \$15.
6. The fee for reinstatement of a license pursuant to § 54.1-2921 of the Code of Virginia shall be \$2,000.
7. The fee for a duplicate license shall be \$5, and the fee for a duplicate wall certificate shall be \$15.
8. The fee for a returned check shall be \$25.
9. The fee for a letter of good standing/verification to another jurisdiction shall be \$10.

18 VAC 85-50-56. Renewal of License.

A. Every licensed physician assistant intending to continue to practice shall biennially renew the license in each odd numbered year in the licensee's birth month by:

1. Returning the renewal form and fee as prescribed by the board, and
2. ~~Presenting documented evidence of~~ Verifying compliance with continuing medical education standards established by the NCCPA.

B. Any physician assistant who allows his NCCPA certification to lapse shall be considered not licensed by the board. Any such assistant who proposes to resume his practice shall make a new application for licensure.

18 VAC 85-50-115. Responsibilities of the physician assistant.

A. The physician assistant shall not render independent health care and shall:

1. Perform only those medical care services that are within the scope of the practice and proficiency of the supervising physician as prescribed in the physician assistant's protocol. When a physician assistant is to be supervised by an alternate supervising physician, outside the scope of specialty of the supervising physician, then the physician assistant's functions shall be limited to those areas not requiring specialized clinical judgment, unless a separate protocol for that alternate supervising physician is approved and on file with the board.
2. Prescribe only those drugs and devices as allowed in Part V (18 VAC 85-50-130 et seq.) of this chapter.
3. Wear during the course of performing his duties identification showing clearly that he is a physician assistant.

B. If the assistant is to regularly perform duties away from the supervising physician, such supervising physician shall obtain board approval in advance for any such arrangement and shall establish written policies to protect the patient.

C. If, due to illness, vacation, or unexpected absence, the supervising physician is unable to supervise personally the activities of his assistant, such supervising physician may temporarily delegate the responsibility to another doctor of medicine, osteopathy, or podiatry. The employing supervising physician so delegating his responsibility shall report such arrangement for coverage, with the reason therefore, to the board office in writing, subject to the following provisions:

1. For planned absence, such notification shall be received at the board office at least one month prior to the supervising physician absence.
2. For sudden illness or other unexpected absence, the board office shall be notified as promptly as possible, but in no event later than one week.
3. Temporary coverage may not exceed four weeks unless special permission is granted by the board.

D. With respect to assistants employed by institutions, the following additional regulations shall apply:

1. No assistant may render care to a patient unless the physician responsible for that patient has signed the protocol to act as supervising physician for that assistant. The board shall make available appropriate forms for physicians to join the protocol for an assistant employed by an institution.

2. Any such application as described in subdivision 1 of this subsection shall delineate the duties which said physician authorizes the assistant to perform.
3. The assistant shall as soon as circumstances may dictate but, within an hour, with an acute or significant finding or change in clinical status, report to the supervising physician concerning the examination of the patient. The assistant shall also record his findings in appropriate institutional records.

E. Practice by a physician assistant in a hospital, including an emergency department, shall be in accordance with § 54.1-2952 of the Code of Virginia.

PART V.
Fees.

~~18 VAC 85-50-170. Fees.~~

- ~~A. The initial application fee for a license, payable at the time application is filed, shall be \$130.~~
- ~~B. The biennial fee for renewal of an active license shall be \$135 and for renewal of an inactive license shall be \$70 payable in each odd numbered year in the birth month of the licensee.~~
- ~~C. The additional fee for late renewal of licensure within one renewal cycle shall be \$50.~~
- ~~D. A restricted volunteer license shall expire 12 months from the date of issuance and may be renewed without charge by receipt of a renewal application which verifies that the physician assistant continues to comply with provisions of § 54.1-2951.3 of the Code of Virginia.~~
- ~~E. The fee for review and approval of a new protocol submitted following initial licensure shall be \$15.~~
- ~~F. The fee for reinstatement of a license pursuant to § 54.1-2921 of the Code of Virginia shall be \$2,000.~~
- ~~G. The fee for a duplicate license shall be \$5, and the fee for a duplicate wall certificate shall be \$15.~~
- ~~H. The fee for a returned check shall be \$25.~~
- ~~I. The fee for a letter of good standing/verification to another jurisdiction shall be \$10.~~