

HB 1222 - AS AMENDED BY THE HOUSE

28Mar2024... 0454h
28Mar2024... 1366h

2024 SESSION

24-2600
09/05

HOUSE BILL **1222**

AN ACT relative to physician assistant scope of practice.

SPONSORS: Rep. Rochefort, Graf. 1; Rep. Edwards, Rock. 31

COMMITTEE: Executive Departments and Administration

AMENDED ANALYSIS

This bill eliminates the collaboration agreement requirement for physician assistants, except physician assistants who have completed fewer than 8,000 hours of clinical practice and work in a health care setting that does not employ a physician.

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears ~~[in brackets and struckthrough]~~
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Four

AN ACT relative to physician assistant scope of practice.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 Physician Assistants; Definitions. Amend RSA 328-D:1, II-a to read as follows:

2 II-a. "Collaboration" means a physician assistant's consultation with or referral to ~~an~~
3 ~~appropriate]~~ **a** physician or ~~[other health care professional]~~ **to the appropriate member of the**
4 **health care team** as indicated based on the patient's condition, the physician assistant's education,
5 training, and experience, and the applicable standards of care.

6 2 Physician Assistants; Definitions. Amend RSA 328-D:1, II-c to read as follows:

7 II-c. "Participating physician" means a physician practicing as a sole practitioner, a
8 physician designated by a group of physicians to represent their physician group, or a physician
9 designated by a health care facility to represent that facility, who **collaborates with a physician**
10 **assistant or who** enters into a collaboration agreement with a physician assistant in accordance
11 with this chapter.

12 3 Physician Assistants; Definitions. Amend RSA 328-D:1, III to read as follows:

13 III. "Physician assistant" or "P.A." means a person qualified both by academic and practical
14 training to provide patient services ~~[in collaboration with one or more physicians pursuant to the~~
15 ~~requirements of]~~ **and licensed under** this chapter.

16 4 Physician Assistants; Licensure Requirements Suspended. Amend RSA 328-D:2-a, I-II to read
17 as follows:

18 I. New Hampshire state licensure laws, rules, and regulations for physician assistants are
19 hereby suspended for those physician assistants licensed by another state or territory of the United
20 States or another country who are employed by the United States Department of Veterans Affairs
21 and who are offering medical services to patients offered through the Veterans Administration
22 Medical Center (VAMC), provided that such physician assistants are acting within the scope of their
23 employment at the VAMC and possess a current license in good standing in their respective state,
24 territory, or country of licensure. ~~[Physician assistants who are employed by the United States~~
25 ~~Department of Veterans Affairs and who are offering medical services to patients of the Veterans~~
26 ~~Administration Medical Center (VAMC) and requesting licensure in New Hampshire may~~
27 ~~collaborate with physicians licensed in any state or territory of the United States provided the~~
28 ~~participating physician possesses a current license in good standing in their respective state or~~
29 ~~territory of the United States.]~~

1 II. The acting director of the Manchester VAMC shall submit to the executive director of the
2 New Hampshire office of professional licensure and certification, or designee, a list of all out-of-state
3 or out-of-country licensed physician assistants offering services in the state of New Hampshire [~~and~~
4 ~~out-of-state licensed physicians collaborating with physician assistants~~].

5 5 Physician Assistants; Physician Assistant Scope of Practice. Amend RSA 328-D:3-b, I to read
6 as follows:

7 I. Except as provided in RSA 328-D:15, III and RSA 328-D:16, II, ***physician assistants***
8 ***with fewer than 8,000 hours of clinical practice who practice without at least one licensed***
9 ***New Hampshire physician in the group, practice, or health system who practices in a***
10 ***similar area of medicine as the physician assistant, shall enter into a written***
11 ***collaboration agreement with a New Hampshire licensed physician who practices in a***
12 ***similar area of medicine as the physician assistant. The physician assistant shall provide***
13 ***proof of clinical hours worked upon request of the board of medicine.*** [~~a physician assistant~~
14 ~~shall engage in practice as a physician assistant in this state only if the physician assistant has~~
15 ~~entered into a written collaboration agreement with a sole practice physician or a physician~~
16 ~~representing a group or health system so long as the sole practitioner or at least one physician in the~~
17 ~~group or health system practices in a similar area of medicine as the physician assistant, and is a~~
18 ~~licensed New Hampshire physician.~~]

19 6 New Paragraphs; Physician Assistants; Physician Assistant Scope of Practice. Amend RSA
20 328-D:3-b by inserting after paragraph XVIII the following new paragraphs:

21 XIX. Physician assistants shall collaborate with, consult with, and/or refer to a physician or
22 the appropriate member of the health care team as indicated by the patient's condition, the
23 education, experience, and competencies of the physician assistant, and the standard of care.
24 Physician assistants may only practice medicine when a physician or other appropriate member of
25 the health care team is available for consultation in person or by electronic means. Physician
26 assistants are solely responsible for the care they provide.

27 XX. Physician assistants shall comply with all internal policies regarding scope of practice
28 as set forth by the physician assistant's employer.

29 7 Effective Date. This act shall take effect January 1, 2025.