

Health Committee

Senator Josh Green, Chair
Clarence K. Nishihara, Vice Chair

DATE: Wednesday, February 16, 2011
TIME: 2:45 PM
PLACE: Conference Room 229
State Capitol
415 South Beretania Street

**LATE
TESTIMONY**

Hawaii Academy of Physician Assistants
Tuesday, February 15, 2011

Support of SB 705 : Relating to Medical Orders

Honorable Chairpersons and Committee Members:

The Hawaii Academy of Physician Assistants strongly supports SB 705. This bill serves only to clarify that nurses can execute orders written by physician assistants acting within their scope of practice, as agents of their supervising physicians as per section 16-85-44.5, Hawaii Administrative Rules, "[a] physician assistant may perform those duties and responsibilities delegated by the physician assistant's supervising physician.

It does not increase or expand current existing physician assistant scope of practice.

Furthermore, under section §16-85-49.1 Scope of practice.

(a) A physician assistant shall be considered the agents of the physician assistant's supervising physician in the performance of all practice-related activities as established in writing by the employer.

(b) Medical services rendered by the physician assistants may include, but are not limited to:

- (1) Obtaining patient histories and performing physical examinations;
- (2) Ordering, interpreting, or performing diagnostic and therapeutic procedures...

Because the historical process of licensing and regulating the scopes of practice of physician assistants and of registered nurses has developed independently for the two health care disciplines, the relevant regulatory language pertaining to their respective responsibilities with regard to each is unclear, specifically with regard to nurses administering orders given by physician assistants and has led to a lack of clarity between hospital administrators and nurses when physician assistants write or give verbal orders in the hospital setting.

The Board of Nursing, in its Minutes of Meeting, dated November 7, 2003, at pages 5-6, addressed the issue of "Nurses Taking Orders from Physician Assistants (§457-2, HRS) (§16-85-49.1(b)(2), HAR)." The meeting minutes reflect the Board of Nursing's conclusion: "The Board agrees that the law allows a PA, as an agent of the supervising physician, to order procedures which presumably a registered nurse should be able to take and fulfill."

The amendment to Chapter 457-2, Hawaii Revised Statutes simply amends the statute to indicate what the nursing board has already opined, that nurses can execute orders given by physician assistants acting as agents of their supervising physician.

... or utilization of reasonable judgment in carrying out prescribed medical orders of a licensed dentist, medical doctor, osteopath, or podiatrist licensed in accordance with chapter 448, 453, 460, or 463E or the orders of an advanced practice registered nurse recognized in accordance with this chapter or a physician assistant licensed in accordance with chapter 453 and practicing with physician supervision as required by chapter 453.

Alleviating any confusion on this issue will allow for improved and expedited health care delivery in the hospital setting and will further serve to indemnify nurses who execute orders written by physician assistants acting as agents of their supervising physicians.

We ask your support in passing SB 705.

Thank you for this opportunity to testify.

Fielding Mercer, PA-C
President-Elect
Hawaii Academy of Physician Assistants

**LATE
TESTIMONY**

green1 - Karen

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 16, 2011 6:15 AM
To: HTHTestimony
Cc: dmessiii@aol.com
Subject: Testimony for SB705 on 2/16/2011 2:45:00 PM

Testimony for HTH 2/16/2011 2:45:00 PM SB705

**LATE
TESTIMONY**

Conference room: 229
Testifier position: support
Testifier will be present: No
Submitted by: David H Messer III
Organization: Hawaii Academy of Physician Assistants
Address:
Phone:
E-mail: dmessiii@aol.com
Submitted on: 2/16/2011

Comments:

Aloha Committee members:

I am asking for your support of SB 705 regarding medical orders. This will be heard before the Health Committee at 2:45 PM on 2/16/2011.

SB 705 is similar in intent to SB 1610 submitted by Senator Baker in 2009 regarding nurses executing orders written by physician assistants acting as agents for their supervising physician. In 2009, SB 1610 passed through the Senate and House virtually unopposed and with much supporting testimony. It was supported by the Board of Nursing and the Hawaii Medical Board. It was eventually held by the House Judiciary Committee. The purpose of the bill is to clarify that nurses can execute orders written by physician assistants (PAs), acting as agents for their supervising physicians. The nursing statute is quite old and was written at a time when the PA profession was relatively new. Consequently, PAs were not included in the definition of providers that nurses could take orders from. Since the time that the statute was written, PAs have become an important part of the hospital health care work force.

The Board of Nursing, in its Minutes of Meeting, dated November 7, 2003, at pages 5-6, addressed the issue of "Nurses Taking Orders from Physician Assistants (§167;457-2, HRS) (§167;16-85-49.1(b)(2), HAR)." The meeting minutes reflect the Board of Nursing's conclusion: "The Board agrees that the law allows a PA, as an agent of the supervising physician, to order procedures which presumably a registered nurse should be able to take and fulfill."

The intent of SB 705 is to update the statute to conform to the Board of Nursing's opinion as stated above.

The amendment to Chapter 457-2, Hawaii Revised Statutes simply amends the statute to indicate what the nursing board has already opined, that nurses can execute orders given by physician assistants acting as agents of their supervising physician.

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recognized in accordance with this chapter or a physician assistant licensed in accordance with chapter 453 and practicing with physician supervision as required by chapter 453.

Great care has gone into drafting the language of this bill, to address the concerns of those who testified in the past. We have adopted language similar to that suggested by the lone opposing testimony in 2009 while addressing the concerns of legislators that the bill clearly states that PAs act as agents for their supervising physicians.

The Bill in no way increases PA scope of practice. It lists PAs as agents of the physician.

It does not impact APRNs in any way and is not negative to APRNs in any way.

The Hawaii Academy of Physician Assistants respectfully asks for your support in passing SB 705 which will allow for improved and expedited health care delivery in the hospital setting and will further serve to indemnify nurses who execute orders written by physician assistants acting as agents of their supervising physicians.

Regards

David H Messer ,III PA-C

President

Hawaii Academy Of Physician Assistant

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Honorable Chairpersons and Committee Members:

I have worked a a PA in the State of Hawaii for 22 years as a Neurosurgical PA, and I strongly supports SB 705. This bill serves only to clarify that nurses can execute orders written by physician assistants acting within their scope of practice, as agents of their supervising physicians as per section 16-85-44.5, Hawaii Administrative Rules, "[a] physician assistant may perform those duties and responsibilities delegated by the physician assistant's supervising physician.

It does not increase or expand current existing physician assistant scope of practice.

Furthermore, under section §16-85-49.1 Scope of practice.

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Alleviating any confusion on this issue will allow for improved and expedited health care delivery in the hospital setting and will further serve to indemnify nurses who execute orders written by physician assistants acting as agents of their supervising physicians.

I ask your support in passing SB 705.

Thank you for this opportunity to testify.

Brenda D. Hill, PA-C
Previous President
Hawaii Academy of Physician Assistants

**LATE
TESTIMONY**