

4998

2009-2010 Regular Sessions

I N S E N A T E

April 27, 2009

Introduced by Sen. DUANE -- read twice and ordered printed, and when printed to be committed to the Committee on Health

AN ACT to amend the public health law, in relation to clarifying the scope of practice of registered physician assistants

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. The public health law is amended by adding a new section
2 3704 to read as follows:
3 S 3704. STATUTORY CONSTRUCTION. A PHYSICIAN ASSISTANT MAY PERFORM ANY
4 FUNCTION IN CONJUNCTION WITH A MEDICAL SERVICE LAWFULLY PERFORMED BY THE
5 PHYSICIAN ASSISTANT, WITH APPROPRIATE PHYSICIAN SUPERVISION, IN ANY
6 HEALTH CARE SETTING, THAT A STATUTE AUTHORIZES OR DIRECTS A PHYSICIAN TO
7 PERFORM AND THAT IS WITHIN THE ORDINARY PRACTICE OF THAT PHYSICIAN,
8 UNLESS THE STATUTE AUTHORIZING OR DIRECTING THE PHYSICIAN TO PERFORM
9 SUCH FUNCTION OR FUNCTIONS EXPRESSLY STATES OTHERWISE OR UNLESS THE
10 STATUTORY OR MEDICAL CONTEXT REQUIRES OTHERWISE. THIS SECTION SHALL NOT
11 BE CONSTRUED TO INCREASE OR DECREASE THE LAWFUL SCOPE OF PRACTICE OF A
12 PHYSICIAN ASSISTANT UNDER THE EDUCATION LAW.
13 S 2. This act shall take effect immediately.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [] is old law to be omitted.

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