



2. [Specialist's assistant. The term "specialist's assistant" means a person who is registered pursuant to section sixty-five hundred thirty-one of the education law as a specialist's assistant for a particular medical specialty as defined by regulations promulgated by the commissioner pursuant to section thirty-seven hundred one of this article.

3.] Physician. The term "physician" means a practitioner of medicine licensed to practice medicine pursuant to article one hundred thirty-one of the education law.

[4] 3. Hospital. The term "hospital" means an institution or facility possessing a valid operating certificate issued pursuant to article twenty-eight of this chapter and authorized to employ [physician's] PHYSICIAN assistants [and specialist's assistants] in accordance with rules and regulations of the [state hospital review and] PUBLIC HEALTH AND HEALTH planning council.

[5] 4. Approved program. The term "approved program" means a program for the education of [physician's] PHYSICIAN assistants [or specialist's assistants] which has been formally approved by the [department of] education DEPARTMENT.

S 3701. Commissioner; powers and duties. The commissioner shall have the following powers and duties: 1. to promulgate regulations defining and restricting the duties which may be assigned to [physician's] PHYSICIAN assistants [and specialist's assistants] by their supervising physician, the degree of supervision required and the manner in which such duties may be performed;

2. [to promulgate regulations establishing such different medical specialties for which specialist's assistants may be registered by the education department pursuant to section sixty-five hundred forty-one of the education law as will most effectively increase the quality of medical care available in this state provided, however, that no category of specialist's assistant shall be established: (a) for areas in which allied health professions are presently licensed under the education law or the public health law; or (b) relating to the practice of surgery or practice in the intensive care unit of any general hospital, as defined pursuant to article twenty-eight of this chapter.

3.] to conduct and support continuing studies respecting the nature and scope of the duties of [physician's] PHYSICIAN assistants [and specialist's assistants] in order to promote their effective functioning as members of the health care team;

[4] 3. to determine the desirability of and to establish rules for requiring continuing education of [physician's] PHYSICIAN assistants [and specialist's assistants];

[5] 4. to furnish the education department with suggested criteria which may be used by the education department to help determine whether an applicant for [registration] LICENSURE as a [physician's] PHYSICIAN assistant [or specialist's assistant] possesses equivalent education and training, such as experience as a nurse or military corpsman, which may be accepted in lieu of all or part of an approved program;

[6] 5. to adopt such other rules and regulations as may be necessary or appropriate to carry out the purposes of this article.

S [3703] 3702. Special provisions. 1. Inpatient medical orders. A [registered physician's] LICENSED PHYSICIAN assistant employed or extended privileges by a hospital may, if permissible under the bylaws, rules and regulations of the hospital, write medical orders, including those for controlled substances, for inpatients under the care of the physician responsible for his or her supervision. Countersignature of such orders may be required if deemed necessary and appropriate by the

1 supervising physician or the hospital, but in no event shall countersig-  
2 nature be required prior to execution.

3 2. Withdrawing blood. A [registered physician's] LICENSED PHYSICIAN  
4 assistant or certified nurse practitioner acting within his or her  
5 lawful scope of practice may supervise and direct the withdrawal of  
6 blood for the purpose of determining the alcoholic or drug content ther-  
7 ein under subparagraph one of paragraph (a) of subdivision four of  
8 section eleven hundred ninety-four of the vehicle and traffic law,  
9 notwithstanding any provision to the contrary in clause (ii) of such  
10 subparagraph.

11 3. Prescriptions for controlled substances. A [registered] LICENSED  
12 physician assistant, in good faith and acting within his or her lawful  
13 scope of practice, and to the extent assigned by his or her supervising  
14 physician, may prescribe controlled substances as a practitioner under  
15 article thirty-three of this chapter, to patients under the care of such  
16 physician responsible for his or her supervision. The commissioner, in  
17 consultation with the commissioner of education, may promulgate such  
18 regulations as are necessary to carry out the purposes of this section.

19 S [3704] 3703. Statutory construction. A physician assistant may  
20 perform any function in conjunction with a medical service lawfully  
21 performed by the physician assistant, in any health care setting, that a  
22 statute authorizes or directs a physician to perform and that is appro-  
23 priate to the education, training and experience of the [registered]  
24 LICENSED physician assistant and within the ordinary practice of the  
25 supervising physician. This section shall not be construed to increase  
26 or decrease the lawful scope of practice of a physician assistant under  
27 the education law.

28 S 2. The public health law is amended by adding a new article 37-A to  
29 read as follows:

#### 30 ARTICLE 37-A

#### 31 SPECIALIST ASSISTANTS

#### 32 SECTION 3710. DEFINITIONS.

#### 33 3711. COMMISSIONER; POWERS AND DUTIES.

#### 34 S 3710. DEFINITIONS. AS USED IN THIS ARTICLE:

35 1. SPECIALIST ASSISTANT. THE TERM "SPECIALIST ASSISTANT" MEANS A  
36 PERSON WHO IS REGISTERED PURSUANT TO SECTION SIXTY-FIVE HUNDRED  
37 FORTY-EIGHT OF THE EDUCATION LAW AS A SPECIALIST ASSISTANT FOR A PARTIC-  
38 ULAR MEDICAL SPECIALITY AS DEFINED BY REGULATIONS PROMULGATED BY THE  
39 COMMISSIONER PURSUANT TO SECTION THIRTY-SEVEN HUNDRED ELEVEN OF THIS  
40 ARTICLE.

41 2. PHYSICIAN. THE TERM "PHYSICIAN" MEANS A PRACTITIONER OF MEDICINE  
42 LICENSED TO PRACTICE MEDICINE PURSUANT TO ARTICLE ONE HUNDRED THIRTY-ONE  
43 OF THE EDUCATION LAW.

44 3. HOSPITAL. THE TERM "HOSPITAL" MEANS AN INSTITUTION OR FACILITY  
45 POSSESSING A VALID OPERATING CERTIFICATE ISSUED PURSUANT TO ARTICLE  
46 TWENTY-EIGHT OF THIS CHAPTER AND AUTHORIZED TO EMPLOY SPECIALIST ASSIST-  
47 ANTS IN ACCORDANCE WITH RULES AND REGULATIONS OF THE PUBLIC HEALTH AND  
48 HEALTH PLANNING COUNCIL.

49 4. APPROVED PROGRAM. THE TERM "APPROVED PROGRAM" MEANS A PROGRAM FOR  
50 THE EDUCATION OF SPECIALIST ASSISTANTS WHICH HAS BEEN FORMALLY APPROVED  
51 BY THE EDUCATION DEPARTMENT.

52 S 3711. COMMISSIONER; POWERS AND DUTIES. THE COMMISSIONER SHALL HAVE  
53 THE FOLLOWING POWERS AND DUTIES:

54 1. TO PROMULGATE REGULATIONS DEFINING AND RESTRICTING THE DUTIES WHICH  
55 MAY BE ASSIGNED TO SPECIALIST ASSISTANTS, THE DEGREE OF SUPERVISION  
56 REQUIRED AND THE MANNER IN WHICH SUCH DUTIES MAY BE PERFORMED;

1 2. TO PROMULGATE REGULATIONS ESTABLISHING SUCH DIFFERENT MEDICAL  
2 SPECIALTIES FOR WHICH SPECIALIST ASSISTANTS MAY BE REGISTERED BY THE  
3 EDUCATION DEPARTMENT PURSUANT TO SECTION SIXTY-FIVE HUNDRED FORTY-EIGHT  
4 OF THE EDUCATION LAW AS WILL MOST EFFECTIVELY INCREASE THE QUALITY OF  
5 MEDICAL CARE AVAILABLE IN THIS STATE; PROVIDED, HOWEVER, THAT NO CATEGO-  
6 RY OF SPECIALIST ASSISTANT SHALL BE ESTABLISHED: (A) FOR AREAS IN WHICH  
7 ALLIED HEALTH PROFESSIONS ARE LICENSED PURSUANT TO THE EDUCATION LAW OR  
8 THIS CHAPTER; OR (B) RELATING TO THE PRACTICE OF SURGERY OR PRACTICE IN  
9 THE INTENSIVE CARE UNIT OF ANY GENERAL HOSPITAL, AS DEFINED PURSUANT TO  
10 ARTICLE TWENTY-EIGHT OF THIS CHAPTER.

11 3. TO CONDUCT AND SUPPORT CONTINUING STUDIES RESPECTING THE NATURE AND  
12 SCOPE OF THE DUTIES OF SPECIALIST ASSISTANTS IN ORDER TO PROMOTE THEIR  
13 EFFECTIVE FUNCTIONING AS MEMBERS OF THE HEALTH CARE TEAM;

14 4. TO DETERMINE THE DESIRABILITY OF AND TO ESTABLISH RULES FOR REQUIR-  
15 ING CONTINUING EDUCATION OF SPECIALIST ASSISTANTS;

16 5. TO FURNISH THE EDUCATION DEPARTMENT WITH SUGGESTED CRITERIA WHICH  
17 MAY BE USED BY THE EDUCATION DEPARTMENT TO HELP DETERMINE THE EDUCATION  
18 AND TRAINING REQUIREMENTS FOR A SPECIALIST ASSISTANT;

19 6. TO ADOPT SUCH OTHER RULES AND REGULATIONS AS MAY BE NECESSARY OR  
20 APPROPRIATE TO CARRY OUT THE PURPOSES OF THIS ARTICLE.

21 S 3. Article 131-B of the education law, as added by chapter 1135 of  
22 the laws of 1971 and as renumbered by chapter 144 of the laws of 1975,  
23 the article heading and sections 6540, 6541, 6542, 6545, 6547 and 6548  
24 as amended by chapter 179 of the laws of 1992, the opening paragraph of  
25 subdivision 1 of section 6541, subdivision 3 of section 6548 as amended  
26 by chapter 573 of the laws of 1992, paragraphs (c), (d), (e) and (f) of  
27 subdivision 1 of section 6541 as amended by chapter 293 of the laws of  
28 2010 and subdivision 6 of section 6542 as amended by section 90 of  
29 subpart B of part C of chapter 62 of the laws of 2011, is amended to  
30 read as follows:

#### 31 ARTICLE 131-B

#### 32 PHYSICIAN ASSISTANTS [AND SPECIALIST ASSISTANTS]

33 Section 6540. Definitions.

34 6541. [Registration] REQUIREMENTS FOR LICENSE.

35 6542. Performance of medical services.

36 [6545] 6543. Construction.

37 [6546] 6544. Regulations.

38 [6547] 6545. Emergency services rendered by physician assistant.

39 [6548] 6546. Limited permits.

40 S 6540. Definitions. As used in this article: 1. Physician assistant.  
41 The term "physician assistant" means a person who is [registered]  
42 LICENSED as a physician assistant pursuant to this article.

43 2. [Specialist assistant. The term "specialist assistant" means a  
44 person who is registered pursuant to this article as a specialist  
45 assistant for a particular medical specialty as defined by regulations  
46 promulgated by the commissioner of health pursuant to section thirty-  
47 seven hundred one of the public health law.

48 3.] Physician. The term "physician" means a practitioner of medicine  
49 licensed to practice medicine pursuant to article one hundred thirty-one  
50 of this chapter.

51 [4] 3. Approved program. The term "approved program" means a program  
52 for the education of physician assistants [or specialist assistants]  
53 which has been formerly approved by the department.

54 [5] 4. Hospital. The term "hospital" means an institution or facility  
55 possessing a valid operating certificate issued pursuant to article  
56 twenty-eight of the public health law and authorized to employ physician

1 assistants [and specialist assistants] in accordance with rules and  
2 regulations of the [state hospital review and] PUBLIC HEALTH AND HEALTH  
3 planning council.

4 S 6541. [Registration] REQUIREMENTS FOR LICENSE. 1. To qualify for  
5 [registration] A LICENSE as a physician assistant [or specialist assist-  
6 ant], each person shall pay a fee of one hundred fifteen dollars to the  
7 department for admission to a department conducted examination, a fee of  
8 forty-five dollars for each reexamination and a fee of seventy dollars  
9 for persons not requiring admission to a department conducted examina-  
10 tion and shall also submit satisfactory evidence, verified by oath or  
11 affirmation, that he or she:

12 (a) at the time of application is at least twenty-one years of age;

13 (b) is of good moral character;

14 (c) [in the case of an applicant for registration as a specialist  
15 assistant, has successfully completed a four-year course of study in a  
16 secondary school approved by the board of regents or has passed an  
17 equivalency test;

18 (d) in the case of an applicant for registration as a physician  
19 assistant,] has received an education including a bachelor's or equiv-  
20 alent degree in accordance with the commissioner's regulations;

21 [(e)] (D) has satisfactorily completed an approved program for the  
22 training of physician assistants [or specialist assistants]. The  
23 approved program for the training of physician assistants shall include  
24 not less than forty weeks of supervised clinical training and thirty-two  
25 credit hours of classroom work. Applicants for [registration] A LICENSE  
26 as a physician assistant who have completed an approved program leading  
27 to a bachelor's degree or equivalent in physician assistant studies  
28 shall be deemed to have satisfied this paragraph. The commissioner is  
29 empowered to determine whether an applicant possesses equivalent educa-  
30 tion and training, such as experience as a nurse or military corpsman,  
31 which may be accepted in lieu of all or part of an approved program; and

32 [(f)] (E) in the case of an applicant for [registration] A LICENSE as  
33 a physician assistant, has obtained a passing score on an examination  
34 acceptable to the department.

35 2. The department shall furnish to each person applying for [registra-  
36 tion hereunder] A LICENSE PURSUANT TO THIS SECTION an application form  
37 calling for such information as the department deems necessary and shall  
38 issue to each applicant who satisfies the requirements of subdivision  
39 one of this section a [certificate of registration] LICENSE as a physi-  
40 cian assistant [or specialist assistant] in a particular medical  
41 specialty for the period expiring December thirty-first of the first  
42 odd-numbered year terminating subsequent to THE ISSUANCE OF such [regis-  
43 tration] LICENSE.

44 3. Every [registrant] LICENSEE shall apply to the department for a  
45 [certificate of registration] RENEWAL OF HIS OR HER LICENSE. The  
46 department shall mail to every [registered] LICENSED physician assistant  
47 [and specialist assistant] an application form for [registration]  
48 RENEWAL, addressed to the [registrant's] LICENSEE'S post office address  
49 on file with the department. Upon receipt of such application properly  
50 executed, together with evidence of satisfactory completion of such  
51 continuing education requirements as may be established by the commis-  
52 sioner of health pursuant to section thirty-seven hundred one of the  
53 public health law, the department shall issue a [certificate of regis-  
54 tration] RENEWAL. [Registration] RENEWAL periods shall be triennial and  
55 the [registration] RENEWAL fee shall be forty-five dollars.

1 S 6542. Performance of medical services. 1. Notwithstanding any other  
2 provision of law, a physician assistant may perform medical services,  
3 but only when under the supervision of a physician and only when such  
4 acts and duties as are assigned to him OR HER are within the scope of  
5 practice of such supervising physician.  
6 2. [Notwithstanding any other provision of law, a specialist assistant  
7 may perform medical services, but only when under the supervision of a  
8 physician and only when such acts and duties as are assigned to him are  
9 related to the designated medical specialty for which he is registered  
10 and are within the scope of practice of his supervising physician.  
11 3.] Supervision shall be continuous but shall not be construed as  
12 necessarily requiring the physical presence of the supervising physician  
13 at the time and place where such services are performed.  
14 [4] 3. No physician shall employ or supervise more than two physician  
15 assistants [and two specialist assistants] in his OR HER private prac-  
16 tice.  
17 [5] 4. Nothing in this article shall prohibit a hospital from employ-  
18 ing physician assistants [or specialist assistants] provided they work  
19 under the supervision of a physician designated by the hospital and not  
20 beyond the scope of practice of such physician. The numerical limita-  
21 tion of subdivision [four] THREE of this section shall not apply to  
22 services performed in a hospital.  
23 [6.] 5. Notwithstanding any other provision of this article, nothing  
24 shall prohibit a physician employed by or rendering services to the  
25 department of corrections and community supervision under contract from  
26 supervising no more than four physician assistants [or specialist  
27 assistants] in his OR HER practice for the department of corrections and  
28 community supervision.  
29 [7] 6. Notwithstanding any other provision of law, a trainee in an  
30 approved program may perform medical services when such services are  
31 performed within the scope of such program.  
32 [8] 7. Nothing in this article, or in article thirty-seven of the  
33 public health law, shall be construed to authorize physician assistants  
34 [or specialist assistants] to perform those specific functions and  
35 duties specifically delegated by law to those persons licensed as allied  
36 health professionals under the public health law or [the education law]  
37 THIS CHAPTER.  
38 S [6545] 6543. Construction. [1.] Only a person [registered] LICENSED  
39 as a physician assistant by the department may use the title "[regis-  
40 tered] physician assistant" or the letters ["R.P.A."] "P.A." after his  
41 OR HER name.  
42 [2. Only a person registered as a specialist assistant by the depart-  
43 ment may use the title "registered specialist assistant" or the letters  
44 "R.S.A." after his name.]  
45 S [6546] 6544. Regulations. The commissioner may promulgate such  
46 other regulations as are necessary to carry out the purposes of this  
47 article.  
48 S [6547] 6545. Emergency services rendered by physician assistant.  
49 Notwithstanding any inconsistent provision of any general, special or  
50 local law, any physician assistant properly [registered] LICENSED in  
51 this state who voluntarily and without the expectation of monetary  
52 compensation renders first aid or emergency treatment at the scene of an  
53 accident or other emergency, outside a hospital, doctor's office or any  
54 other place having proper and necessary medical equipment, to a person  
55 who is unconscious, ill or injured, shall not be liable for damages for  
56 injuries alleged to have been sustained by such person or for damages

for the death of such person alleged to have occurred by reason of an act or omission in the rendering of such first aid or emergency treatment unless it is established that such injuries were or such death was caused by gross negligence on the part of such physician assistant. Nothing in this section shall be deemed or construed to relieve a licensed physician assistant from liability for damages for injuries or death caused by an act or omission on the part of a physician assistant while rendering professional services in the normal and ordinary course of his OR HER practice.

S [6548] 6546. Limited permits. Permits limited as to eligibility, practice and duration, shall be issued by the department to eligible applicants, as follows:

1. Eligibility. A person who fulfills all requirements [for registration] TO BE LICENSED as a physician assistant except that relating to the examination shall be eligible for a limited permit.

2. Limit of practice. A permittee shall be authorized to practice as a physician assistant only under the direct supervision of a physician.

3. Duration. A limited permit shall expire one year from the date of issuance or upon notice to the permittee by the department that the application for [registration] A LICENSE has been denied. A limited permit shall be extended upon application for one additional year, provided that the permittee's request for such extension is endorsed by a physician who either has supervised or will supervise the permittee, except that such extension may be denied by the department for cause which shall be stated in writing. If the permittee is awaiting the results of a licensing examination at the time such limited permit expires, such permit shall continue to be valid until ten days after notification to the permittee of the result of such examination.

4. Fees. The fee for each limited permit shall be one hundred five dollars.

S 4. The education law is amended by adding a new article 131-C to read as follows:

#### ARTICLE 131-C SPECIALIST ASSISTANTS

SECTION 6547. DEFINITIONS.  
6548. REGISTRATION.  
6549. PERFORMANCE OF MEDICAL SERVICES.  
6549-A. CONSTRUCTION.  
6549-B. REGULATIONS.

S 6547. DEFINITIONS. AS USED IN THIS ARTICLE:

1. SPECIALIST ASSISTANT. THE TERM "SPECIALIST ASSISTANT" MEANS A PERSON WHO IS REGISTERED PURSUANT TO THIS ARTICLE AS A SPECIALIST ASSISTANT FOR A PARTICULAR MEDICAL SPECIALTY AS DEFINED BY REGULATIONS PROMULGATED BY THE COMMISSIONER OF HEALTH PURSUANT TO SECTION THIRTY-SEVEN HUNDRED ELEVEN OF THE PUBLIC HEALTH LAW.

2. PHYSICIAN. THE TERM "PHYSICIAN" MEANS A PRACTITIONER OF MEDICINE LICENSED TO PRACTICE MEDICINE PURSUANT TO ARTICLE ONE HUNDRED THIRTY-ONE OF THIS CHAPTER.

3. APPROVED PROGRAM. THE TERM "APPROVED PROGRAM" MEANS A PROGRAM FOR THE EDUCATION OF SPECIALIST ASSISTANTS WHICH HAS BEEN APPROVED BY THE DEPARTMENT.

4. HOSPITAL. THE TERM "HOSPITAL" MEANS AN INSTITUTION OR FACILITY POSSESSING A VALID OPERATING CERTIFICATE ISSUED PURSUANT TO ARTICLE TWENTY-EIGHT OF THE PUBLIC HEALTH LAW AND AUTHORIZED TO EMPLOY SPECIALIST ASSISTANTS IN ACCORDANCE WITH RULES AND REGULATIONS OF THE PUBLIC HEALTH AND HEALTH PLANNING COUNCIL.

1 S 6548. REGISTRATION. 1. TO QUALIFY FOR REGISTRATION AS A SPECIALIST  
2 ASSISTANT, EACH PERSON SHALL PAY A FEE OF ONE HUNDRED FIFTEEN DOLLARS TO  
3 THE DEPARTMENT FOR ADMISSION TO A DEPARTMENT CONDUCTED EXAMINATION, A  
4 FEE OF FORTY-FIVE DOLLARS FOR EACH REEXAMINATION AND A FEE OF SEVENTY  
5 DOLLARS FOR PERSONS NOT REQUIRING ADMISSION TO A DEPARTMENT CONDUCTED  
6 EXAMINATION AND SHALL ALSO SUBMIT SATISFACTORY EVIDENCE, VERIFIED BY  
7 OATH OR AFFIRMATION, THAT HE OR SHE:

8 (A) AT THE TIME OF APPLICATION IS AT LEAST TWENTY-ONE YEARS OF AGE;

9 (B) IS OF GOOD MORAL CHARACTER;

10 (C) HAS SUCCESSFULLY COMPLETED A FOUR-YEAR COURSE OF STUDY IN A  
11 SECONDARY SCHOOL APPROVED BY THE BOARD OF REGENTS OR HAS PASSED AN  
12 EQUIVALENCY TEST; AND

13 (D) HAS SATISFACTORILY COMPLETED AN APPROVED PROGRAM FOR THE TRAINING  
14 OF SPECIALIST ASSISTANTS.

15 2. THE DEPARTMENT SHALL FURNISH TO EACH PERSON APPLYING FOR REGISTRA-  
16 TION HEREUNDER AN APPLICATION FORM CALLING FOR SUCH INFORMATION AS THE  
17 DEPARTMENT DEEMS NECESSARY AND SHALL ISSUE TO EACH APPLICANT WHO SATIS-  
18 FIES THE REQUIREMENTS OF SUBDIVISION ONE OF THIS SECTION A CERTIFICATE  
19 OF REGISTRATION AS SPECIALIST ASSISTANT IN A PARTICULAR MEDICAL SPECIAL-  
20 TY FOR THE PERIOD EXPIRING DECEMBER THIRTY-FIRST OF THE FIRST ODD-NUM-  
21 BERED YEAR TERMINATING SUBSEQUENT TO SUCH REGISTRATION.

22 3. EVERY REGISTRANT SHALL APPLY TO THE DEPARTMENT FOR A CERTIFICATE OF  
23 REGISTRATION. THE DEPARTMENT SHALL MAIL TO EVERY REGISTERED SPECIALIST  
24 ASSISTANT AN APPLICATION FORM FOR REGISTRATION, ADDRESSED TO THE REGIS-  
25 TRANT'S POST OFFICE ADDRESS ON FILE WITH THE DEPARTMENT. UPON RECEIPT OF  
26 SUCH APPLICATION PROPERLY EXECUTED, TOGETHER WITH EVIDENCE OF SATISFAC-  
27 TORY COMPLETION OF SUCH CONTINUING EDUCATION REQUIREMENTS AS MAY BE  
28 ESTABLISHED BY THE COMMISSIONER OF HEALTH PURSUANT TO SECTION  
29 THIRTY-SEVEN HUNDRED ELEVEN OF THE PUBLIC HEALTH LAW, THE DEPARTMENT  
30 SHALL ISSUE A CERTIFICATE OF REGISTRATION. REGISTRATION PERIODS SHALL BE  
31 TRIENNIAL AND THE REGISTRATION FEE SHALL BE FORTY-FIVE DOLLARS.

32 S 6549. PERFORMANCE OF MEDICAL SERVICES. 1. NOTWITHSTANDING ANY OTHER  
33 PROVISION OF LAW, A SPECIALIST ASSISTANT MAY PERFORM MEDICAL SERVICES,  
34 BUT ONLY WHEN UNDER THE SUPERVISION OF A PHYSICIAN AND ONLY WHEN SUCH  
35 ACTS AND DUTIES AS ARE ASSIGNED TO HIM OR HER ARE RELATED TO THE DESIG-  
36 NATED MEDICAL SPECIALITY FOR WHICH HE OR SHE IS REGISTERED AND ARE WITH-  
37 IN THE SCOPE OF PRACTICE OF HIS OR HER SUPERVISING PHYSICIAN.

38 2. SUPERVISION SHALL BE CONTINUOUS BUT SHALL NOT BE CONSTRUED AS  
39 NECESSARILY REQUIRING THE PHYSICAL PRESENCE OF THE SUPERVISING PHYSICIAN  
40 AT THE TIME AND PLACE WHERE SUCH SERVICES ARE PERFORMED.

41 3. NO PHYSICIAN SHALL EMPLOY OR SUPERVISE MORE THAN TWO SPECIALIST  
42 ASSISTANTS IN HIS OR HER PRIVATE PRACTICE.

43 4. NOTHING IN THIS ARTICLE SHALL PROHIBIT A HOSPITAL FROM EMPLOYING  
44 SPECIALIST ASSISTANTS PROVIDED THEY WORK UNDER THE SUPERVISION OF A  
45 PHYSICIAN DESIGNATED BY THE HOSPITAL AND NOT BEYOND THE SCOPE OF PRAC-  
46 TICE OF SUCH PHYSICIAN. THE NUMERICAL LIMITATION OF SUBDIVISION THREE OF  
47 THIS SECTION SHALL NOT APPLY TO SERVICES PERFORMED IN A HOSPITAL.

48 5. NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE, NOTHING SHALL  
49 PROHIBIT A PHYSICIAN EMPLOYED BY OR RENDERING SERVICES TO THE DEPARTMENT  
50 OF CORRECTIONAL SERVICES UNDER CONTRACT FROM SUPERVISING NO MORE THAN  
51 FOUR SPECIALIST ASSISTANTS IN HIS OR HER PRACTICE FOR THE DEPARTMENT OF  
52 CORRECTIONS AND COMMUNITY SUPERVISION.

53 6. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A TRAINEE IN AN  
54 APPROVED PROGRAM MAY PERFORM MEDICAL SERVICES WHEN SUCH SERVICES ARE  
55 PERFORMED WITHIN THE SCOPE OF SUCH PROGRAM.

1 7. NOTHING IN THIS ARTICLE OR IN ARTICLE THIRTY-SEVEN-A OF THE PUBLIC  
2 HEALTH LAW, SHALL BE CONSTRUED TO AUTHORIZE SPECIALIST ASSISTANTS TO  
3 PERFORM THOSE SPECIFIC FUNCTIONS AND DUTIES SPECIFICALLY DELEGATED BY  
4 LAW TO THOSE PERSONS LICENSED AS ALLIED HEALTH PROFESSIONALS UNDER THE  
5 PUBLIC HEALTH LAW OR THIS CHAPTER.  
6 S 6549-A. CONSTRUCTION. ONLY A PERSON REGISTERED AS A SPECIALIST  
7 ASSISTANT BY THE DEPARTMENT MAY USE THE TITLE "REGISTERED SPECIALIST  
8 ASSISTANT" OR THE LETTERS "R.S.A." AFTER HIS OR HER NAME.  
9 S 6549-B. REGULATIONS. THE COMMISSIONER MAY PROMULGATE SUCH OTHER  
10 REGULATIONS AS ARE NECESSARY TO CARRY OUT THE PURPOSES OF THIS ARTICLE.  
11 S 5. Every physician assistant registered pursuant to article 131-B of  
12 the education law immediately prior to the effective date of this act  
13 shall be deemed to be licensed pursuant to such article thereafter.  
14 S 6. This act shall take effect on the first of January next succeed-  
15 ing the date on which it shall have become a law; provided that, effec-  
16 tive immediately, any rules and regulations necessary to implement the  
17 provisions of this act on its effective date are authorized to be added,  
18 amended and/or repealed on or before such date.