STATE OF NEW YORK

7981

2025-2026 Regular Sessions

IN SENATE

May 15, 2025

Introduced by Sen. RIVERA -- read twice and ordered printed, and when printed to be committed to the Committee on Higher Education

AN ACT to amend the education law and the public health law, in relation to the performance of medical services by physician assistants

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Subdivisions 1, 2, 3, 4 and 5 of section 6542 of the education law, as amended by chapter 520 of the laws of 2024, are amended and two new subdivisions 1-a and 9 are added to read as follows:

1. Notwithstanding any other provision of law, a physician assistant may perform medical services, but only when under the supervision of a physician and only when such acts and duties as are assigned to such physician assistant are within the scope of practice of such supervising physician **unless otherwise permitted by this section**.

1-a. A physician assistant may practice without the supervision of a physician under the following circumstances:

(a) Such physician assistant is employed by a health system or hospital established under article twenty-eight of the public health law, such physician assistant meets the qualifications of the medical staff bylaws of and is credentialed by such health system or hospital, and such health system or hospital gives such physician assistant privileges; or

(b) Such physician assistant, licensed under section sixty-five hundred forty-one of this article:

(i) has practiced for more than six thousand hours;

(ii) is practicing in primary care, which for the purposes of this paragraph shall mean general pediatrics, general adult medicine, general geriatric medicine, general internal medicine, mental health services or psychiatry, obstetrics and gynecology, family medicine, emergency medicine, urgent care, or such other related areas as determined by the commissioner of health; and

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

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(iii) is performing any of the following functions:
(1) taking patient histories;
(2) performing physical examinations;
(3) triaging patients based on recognition of abnormal vital signs, examination findings, and/or general observations;
(4) ordering, performing, reviewing and interpreting diagnostic, radiology, toxicology and laboratory tests and screenings;
(5) formulating diagnoses;
(6) administering clinical interventions with informed consent;
(7) referring patients to other professionals;
(8) counseling patients and family, guardians and caregivers on preventable conditions and lifestyle modifications, promoting early detection and prevention of medical conditions;
(9) identifying and reporting signs of abuse and neglect and/or trafficking;
(10) following best practice immunization standards for every patient population;
(11) managing end of life and palliative care in accordance with the patient's preferences and autonomy, including advanced directives;
(12) formulating and implementing treatment plans in accordance with applicable practice guidelines;
(13) recognizing and treating life-threatening conditions;
(14) providing virtual care via telehealth for patients, including conducting assessments and managing acute and chronic conditions remotely;
(15) providing remote monitoring and follow-up care, utilizing technology to track patient outcomes, medication adherence, and ongoing management of health conditions;
(16) prescribing, administering and dispensing pharmacological or diagnostic therapies, including controlled substances, and monitoring and follow-up of pharmacologic regimens, including assessing patient adherence to prescribed drug regimens and adjusting treatments as necessary to ensure optimal outcomes; or
(17) such other functions as the commissioner of health may determine.

2. [~~Supervision~~] Where supervision is required by this section, it shall be continuous but shall not be construed as necessarily requiring the physical presence of the supervising physician at the time and place where such services are performed.

3. [~~No~~] Where supervision is required by this section, no physician shall employ or supervise more than six physician assistants in such physician's private practice at one time.

4. Nothing in this article shall prohibit a hospital from employing physician assistants, provided that they work under the supervision of a physician designated by the hospital and not beyond the scope of practice of such physician, where such supervision is required by this section. The numerical limitation of subdivision three of this section shall not apply to services performed in a hospital.

5. Notwithstanding any other provision of this article, nothing shall prohibit a physician employed by or rendering services to the department of corrections and community supervision under contract from supervising no more than eight physician assistants in such physician's practice for the department of corrections and community supervision at one time, where such supervision is required by this section.

9. The commissioner and the commissioner of health are authorized to promulgate and update regulations pursuant to this section.

§ 2. Subdivision 1 of section 3701 of the public health law, as amended by chapter 48 of the laws of 2012, is amended to read as follows:

1. to promulgate regulations defining and restricting the duties [~~which may be assigned to~~] **of** physician assistants [~~by their supervising physician, the degree of supervision required and the manner in which such duties may be performed~~] **consistent with section sixty-five hundred forty-two of the education law**;

§ 3. Section 3703 of the public health law, as amended by chapter 48 of the laws of 2012, is amended to read as follows:

§ 3703. Statutory construction. A physician assistant may perform any function in conjunction with a medical service lawfully performed by the physician assistant, in any health care setting, that a statute authorizes or directs a physician to perform and that is appropriate to the education, training and experience of the licensed physician assistant and within the ordinary practice of the supervising physician**, as applicable pursuant to section sixty-five hundred forty-two of the education law**. This section shall not be construed to increase or decrease the lawful scope of practice of a physician assistant under the education law.

§ 4. Paragraph a of subdivision 2 of section 902 of the education law, as amended by chapter 376 of the laws of 2015, is amended to read as follows:

a. The board of education, and the trustee or board of trustees of each school district, shall employ, at a compensation to be agreed upon by the parties, a qualified physician, **a physician assistant,** or a nurse practitioner to the extent authorized by the nurse practice act and consistent with subdivision three of section six thousand nine hundred two of this chapter, to perform the duties of the director of school health services, including any duties conferred on the school physician or school medical inspector under any provision of law, to perform and coordinate the provision of health services in the public schools and to provide health appraisals of students attending the public schools in the city or district. The physicians**, physician assistants,** or nurse practitioners so employed shall be duly licensed pursuant to applicable law.

§ 5. This act shall take effect on the one hundred twentieth day after it shall have become a law.