

# Georgia Composite Medical Board

## Executive Director

LaSharn Hughes, MBA



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Ronnie Wallace, MBA

2 Peachtree Street, NW • 6<sup>th</sup> Floor • Atlanta, Georgia 30303 • (404) 656-3913 • [www.medicalboard.georgia.gov](http://www.medicalboard.georgia.gov)

## NOTICE OF INTENT TO AMEND AND ADOPT RULES

### TO ALL INTERESTED PARTIES:

Notice is hereby given that pursuant to the authority set forth below, the Georgia Composite Medical Board (hereinafter “Board”) proposes amendments to the Georgia Composite Medical Board Rules by amending Rule 360-5-.05(5) “Limitations on Physician Assistant Practice.” An exact copy of the proposed rule is attached to this Notice.

This notice, together with an exact copy of the proposed rules and a synopsis of the proposed amendments may be reviewed between 8:00 a.m. and 4:00 p.m., Monday through Friday, except official State holidays, at 2 Peachtree Street, N.W., 6<sup>th</sup> Floor, Atlanta, Georgia 30303. These documents can also be reviewed online at <http://medicalboard.georgia.gov/notice-intent-amendadopt-rules>.

A public hearing is scheduled to begin at **8:00 a.m. on January 10, 2019** at 2 Peachtree Street, N.W., 5<sup>th</sup> Floor, Atlanta, Georgia 30303 to provide the public an opportunity to comment upon and provide input into the proposed rules. At the public hearing, any interested person may present data, make a statement or comment, or offer a viewpoint or argument orally or in writing. Lengthy statements and statements of a considerable technical or economic nature, as well as previously recorded messages, must be submitted for the official record. Oral statements should be concise and will be limited to 5 minutes per person. Additional comments should be presented in writing. To ensure their consideration, submit all written comments by **January 4, 2019** to Diane Atkinson at [matkinson@dch.ga.gov](mailto:matkinson@dch.ga.gov) or via mail to the Georgia Composite Medical Board Rules Committee at 2 Peachtree Street, N.W., 6<sup>th</sup> Floor, Atlanta, Georgia 30303.

The Board voted to adopt this Notice of Intent on **December 6, 2018**. Upon conclusion of the public hearing on **January 10, 2019**, the Board will consider whether the formulation and adoption of these proposed rule amendments imposes excessive regulatory costs on any license or entity, and whether any cost to comply with the proposed rule amendments could be reduced by a less expensive alternative that accomplishes the objectives of the statutes which are the basis of the proposed rule. Additionally, the Board will consider whether it is legal or feasible in meeting the objectives of the applicable laws to adopt or implement differing actions for businesses as listed in O.C.G.A. § 50-13-4(3)(A),(B),(C), and (D).

This Notice is adopted and posted in compliance with O.C.G.A. § 50-13-4 of the Georgia Administrative Procedures Act. A synopsis of the proposed rules and an economic impact statement are attached to this Notice. The authority for promulgation of these rules is O.C.G.A. §§ 43-34-103(b)(4), 43-34-5(c), and 43-34-103(b)(4)

Issued this day December 10, 2018.

LaSharn Hughes, MBA  
Executive Director  
Georgia Composite Medical Board

## ECONOMIC IMPACT AND SYNOPSIS FOR

### **RULE CHAPTER 360-5**

#### ECONOMIC IMPACT:

The attached rules are promulgated under the authority of the Medical Practice Act, Title 43, Chapter 34. The Georgia Composite Medical Board licenses and regulates nine professions. The formulation and adoption of these rules do not impose excessive regulatory cost on any licensee, and any cost to comply with the proposed rule cannot be reduced by a less expensive alternative that fully accomplishes the objectives of Article 2 of Chapter 34 of Title 43 of the Official Code of Georgia Annotated. Additionally, it is not legal or feasible to meet the objectives of the Article 2 of Chapter 34 of Title 43 of the Official Code of Georgia Annotated to adopt or implement differing actions for businesses listed in O.C.G.A. §50-13-4(a)(3)(A), (B), (C) and (D).

#### **RULE SYNOPSIS:**

Rule 360-6-.05(5) “Limitations on Physician Assistant Practice”

**Purpose/Main Features:** The purpose of the proposed amendment is to reflect the addition of O.C.G.A. § 43-34-103(b)(4) to allow for a primary supervising physician to supervise up to eight physician assistants who have completed a board approved anesthesiologist assistant program.

Authority: O.C.G.A. §§43-34-5(c) and 43-34-103(b)(4)

## Rule 360-5-.05. Limitations on Physician Assistant Practice

- (1) No person shall practice as a physician assistant without a license or temporary permit from the Board, Board approval of a supervising physician, and Board approval of his/her job description.
- (2) A physician employed by the Department of Community Health, an institution thereof or by a local health department, whose duties are administrative and do not normally include providing health care to patients, shall not be authorized to supervise a physician assistant who is employed by these entities.
- (3) A physician may not be an employee of the physician assistant who he/she is required to supervise unless the arrangement was approved by the Board prior to July 1, 2009.
- (4) A physician may serve as primary supervising physician to only four physician assistants, except no primary supervising physician shall have more than eight physicians assistants who have completed a board approved anesthesiologist assistant program licensed to him or her at one time. A physician may be an alternate supervising physician for any number of physician assistants.
- (5) A physician may not supervise more than two physician assistants at any one time except:
  - (a) When practicing as a member of a group practice in which other physicians of such group are primary supervising physicians. In these circumstances, a physician may supervise up to four physician assistants at any one time, or
  - (b) When acting as an alternate supervising physician, a physician may supervise as many as four physician assistants, who are working within the scope of practice of the alternate supervisor.
    1. In an institutional setting, such as a hospital or clinic.
    2. While on call for a primary supervising physician or a group practice
    3. When otherwise approved by the board to act as an alternate supervising physician.
- (6) A physician assistant may not perform an abortion or administer, prescribe or issue a drug order that is intended to cause an abortion to occur pharmacologically.
- (7) A physician assistant may not be utilized to perform the duties of a pharmacist licensed under Title 26, Chapter 4 of the Official Code of Georgia Annotated, relating to pharmacists, as now or hereafter amended.
- (8) A physician assistant may not issue a written prescription for a Schedule II controlled substance. Provided, however, this does not preclude:
  - (a) a physician assistant from preparing such a prescription for administration of a Schedule II controlled substance for signature by the primary or alternate supervising physician on the date that the prescription is issued to the patient. Such prescriptions may not be pre-signed.
  - (b) A physician assistant from issuing a written or verbal order for a Schedule II controlled substance within a health care setting. The supervising or an alternate supervising physician must co-sign such orders in compliance with any provisions required by the location where the physician assistant is practicing.
- (9) A physician assistant does not have the authority to sign death certificates or assign a percentage of a disability rating.

Authority: O.C.G.A. Secs. 43-34-5(c) and 43-34-103