

STATE OF MAINE

—
IN THE YEAR OF OUR LORD
TWO THOUSAND TWENTY-FIVE

—
H.P. 771 - L.D. 1166

An Act to Change the Professional Title and Identification of Physician Assistants to Physician Associates

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 32 MRSA §2594-E, as amended by PL 2023, c. 132, §3, is further amended to read:

§2594-E. Licensure of physician ~~assistants~~ associates

1. License required. A physician ~~assistant~~ associate may not render medical services until the physician ~~assistant~~ associate has applied for and obtained from either the Board of Osteopathic Licensure or the Board of Licensure in Medicine:

A. A license, which must be renewed biennially with the board that issued the initial license.

An application for licensure as a physician ~~assistant~~ associate must be submitted to either the Board of Osteopathic Licensure or the Board of Licensure in Medicine. A license granted by either the Board of Osteopathic Licensure or the Board of Licensure in Medicine authorizes the physician ~~assistant~~ associate to render medical services.

2. Qualification for licensure. The board may issue to an individual a license to practice as a physician ~~assistant~~ associate under the following conditions:

A. A license may be issued to an individual who:

(1) ~~Graduated from a~~ Has successfully completed an educational program for physician assistant program approved by the board assistants or physician associates accredited by the Accreditation Review Commission on Education for the Physician Assistant or its successor organization or, prior to 2001, by the Committee on Allied Health Education and Accreditation or the Commission on Accreditation of Allied Health Education Programs;

(2) Passed a physician assistant national certifying examination administered by the National Commission on Certification of Physician Assistants or its successor organization;

(3) Demonstrates current clinical competency;

- (4) Does not have a license or certificate of registration that is the subject of disciplinary action such as probation, restriction, suspension, revocation or surrender;
- (5) Completes an application approved by the board;
- (6) Pays an application fee of up to \$300; and
- (7) Passes an examination approved by the board; and

B. No grounds exist as set forth in section 2591-A to deny the application.

4. Delegation by physician assistant associate. A physician assistant associate may delegate to the physician assistant's associate's employees or support staff or members of a health care team, including medical assistants, certain activities relating to medical care and treatment carried out by custom and usage when the activities are under the control of the physician assistant associate; the activities being delegated do not, unless otherwise provided by law, require a license, registration or certification to perform; the physician assistant associate ensures that the employees or support staff or members of a health care team have the appropriate training, education and experience to perform these delegated activities; and the physician assistant associate ensures that the employees or support staff perform these delegated activities competently and safely. The physician assistant associate who delegates an activity permitted under this subsection is legally liable for the activity performed by an employee, a medical assistant, support staff or a member of a health care team.

5. Rules. The Board of Osteopathic Licensure is authorized to adopt rules regarding the licensure and practice of physician assistants associates. These rules, which must be adopted jointly with the Board of Licensure in Medicine, may pertain to, but are not limited to, the following matters:

- A. Information to be contained in the application for a license;
- C. Education requirements for the physician assistant associate;
- E. Requirements for collaborative agreements and practice agreements under section 2594-F, including uniform standards and forms;
- F. Requirements for a physician assistant associate to notify the board regarding certain circumstances, including but not limited to any change in address, the permanent departure of the physician assistant associate from the State, any criminal convictions of the physician assistant associate and any discipline by other jurisdictions of the physician assistant associate;
- G. Issuance of temporary physician assistant associate licenses;
- H. Appointment of an advisory committee for continuing review of the physician assistant associate rules. The physician assistant associate members of the board pursuant to section 2561 must be members of the advisory committee;
- I. Continuing education requirements as a precondition to continued licensure or licensure renewal;
- J. Fees for the application for an initial physician assistant associate license, which may not exceed \$300; and

M. Fees for the biennial renewal of a physician ~~assistant~~ associate license in an amount not to exceed \$250.

6. Title and practice protection. A person who is not licensed under this section may not hold that person out to be a physician associate or use the title or designation "physician associate" or the abbreviation "P.A." or any other title, designation, words, letters or device tending to indicate that that person is licensed under this section, except that a person who meets the qualifications for licensure under subsection 2 but does not possess a current license may use the title or designation "physician associate" or the abbreviation "P.A." but may not practice as a physician associate. Notwithstanding this subsection, a person licensed as a physician assistant as of the effective date of this subsection may use the title or designation "physician assistant" or "physician associate" and this subsection does not change any rights or privileges of a person licensed as a physician assistant during the term of that person's license. Upon license renewal, a person previously licensed as a physician assistant must be licensed as a physician associate and shall thereafter hold that person out to be a physician associate and use the title or designation "physician associate."

A violation of this subsection is a Class E crime.

Sec. 2. 32 MRSA §3270-E, as amended by PL 2023, c. 132, §5, is further amended to read:

§3270-E. Licensure of physician ~~assistants~~ associates

1. License required. A physician ~~assistant~~ associate may not render medical services until the physician ~~assistant~~ associate has applied for and obtained from either the Board of Licensure in Medicine or the Board of Osteopathic Licensure:

A. A license, which must be renewed biennially with the board that issued the initial license.

An application for licensure as a physician ~~assistant~~ associate must be submitted to either the Board of Osteopathic Licensure or the Board of Licensure in Medicine. A license granted by either the Board of Osteopathic Licensure or the Board of Licensure in Medicine authorizes the physician ~~assistant~~ associate to render medical services.

2. Qualification for licensure. The board may issue to an individual a license to practice as a physician ~~assistant~~ associate under the following conditions:

A. A license may be issued to an individual who:

(1) ~~Graduated from a~~ Has successfully completed an educational program for physician assistant program approved by the board assistants or physician associates accredited by the Accreditation Review Commission on Education for the Physician Assistant or its successor organization or, prior to 2001, by the Committee on Allied Health Education and Accreditation or the Commission on Accreditation of Allied Health Education Programs;

(2) Passed a physician assistant national certifying examination administered by the National Commission on Certification of Physician Assistants or its successor organization;

(3) Demonstrates current clinical competency;

- (4) Does not have a license or certificate of registration that is the subject of disciplinary action such as probation, restriction, suspension, revocation or surrender;
- (5) Completes an application approved by the board;
- (6) Pays an application fee of up to \$300; and
- (7) Passes an examination approved by the board; and

B. No grounds exist as set forth in section 3282-A to deny the application.

4. Delegation by physician assistant associate. A physician assistant associate may delegate to the physician assistant's associate's employees or support staff or members of a health care team, including medical assistants, certain activities relating to medical care and treatment carried out by custom and usage when the activities are under the control of the physician assistant associate; the activities being delegated do not, unless otherwise provided by law, require a license, registration or certification to perform; the physician assistant associate ensures that the employees or support staff or members of a health care team have the appropriate training, education and experience to perform these delegated activities; and the physician assistant associate ensures that the employees or support staff perform these delegated activities competently and safely. The physician assistant associate who delegates an activity permitted under this subsection is legally liable for the activity performed by an employee, a medical assistant, support staff or a member of a health care team.

5. Rules. The Board of Licensure in Medicine is authorized to adopt rules regarding the licensure and practice of physician assistants associates. These rules, which must be adopted jointly with the Board of Osteopathic Licensure, may pertain to, but are not limited to, the following matters:

- A. Information to be contained in the application for a license;
- C. Education requirements for the physician assistant associate;
- E. Requirements for collaborative agreements and practice agreements under section 3270-G, including uniform standards and forms;
- F. Requirements for a physician assistant associate to notify the board regarding certain circumstances, including but not limited to any change in address, the permanent departure of the physician assistant associate from the State, any criminal convictions of the physician assistant associate and any discipline by other jurisdictions of the physician assistant associate;
- G. Issuance of temporary physician assistant associate licenses;
- H. Appointment of an advisory committee for continuing review of the physician assistant associate rules. The physician assistant associate members of the board pursuant to section 3263 must be members of the advisory committee;
- I. Continuing education requirements as a precondition to continued licensure or licensure renewal;
- J. Fees for the application for an initial physician assistant associate license, which may not exceed \$300; and

M. Fees for the biennial renewal of a physician ~~assistant~~ associate license in an amount not to exceed \$250.

6. Title and practice protection. A person who is not licensed under this section may not hold that person out to be a physician associate or use the title or designation "physician associate" or the abbreviation "P.A." or any other title, designation, words, letters or device tending to indicate that that person is licensed under this section, except that a person who meets the qualifications for licensure under subsection 2 but does not possess a current license may use the title or designation "physician associate" or the abbreviation "P.A." but may not practice as a physician associate. Notwithstanding this subsection, a person licensed as a physician assistant as of the effective date of this subsection may use the title or designation "physician assistant" or "physician associate" and this subsection does not change any rights or privileges of a person licensed as a physician assistant during the term of that person's license. Upon license renewal, a person previously licensed as a physician assistant must be licensed as a physician associate and shall thereafter hold that person out to be a physician associate and use the title or designation "physician associate."

A violation of this subsection is a Class E crime.

Sec. 3. Maine Revised Statutes amended; revision clause. Wherever in the Maine Revised Statutes the words "physician assistant" appear or reference is made to those words, those words are amended to read "physician associate" and the Revisor of Statutes shall implement this revision when updating, publishing or republishing the statutes, except that the words "physician assistant" are not amended when referring to the Accreditation Review Commission on Education for the Physician Assistant or the National Commission on Certification of Physician Assistants and where the words "physician assistant" appear in Title 32, section 2594-E, subsection 2, paragraph A and Title 32, section 3270-E, subsection 2, paragraph A as amended by this Act and in Title 32, chapter 145-A.

Sec. 4. Scope of practice. This Act may not be interpreted to expand the scope of practice of a physician associate beyond the current scope of practice for a physician assistant in the Maine Revised Statutes and rules of the Board of Licensure in Medicine pursuant to Title 32, chapter 48 and the Board of Osteopathic Licensure pursuant to Title 32, chapter 36.