

SENATE BILL 1515

By Massey

AN ACT to amend Tennessee Code Annotated, Title 38; Title 53; Title 55; Title 56; Title 63 and Title 68, relative to the terminology used to describe the relationship of physicians to advanced practice registered nurses and physician assistants.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 38-8-106(7), is amended by deleting the language "supervising physician" and substituting instead "collaborating physician".

SECTION 2. Tennessee Code Annotated, Section 53-10-104(a), is amended by deleting the language "under the supervision, control and responsibility of a licensed physician" and substituting instead "in collaboration with a licensed physician who has responsibility for and control of the prescription services rendered by the nurse".

SECTION 3. Tennessee Code Annotated, Section 53-10-104(c), is amended by deleting the language "under a physician's supervision" and substituting instead the language "in collaboration with a physician".

SECTION 4. Tennessee Code Annotated, Section 53-10-105, is amended by deleting the language "under the supervision, control and responsibility of a licensed physician" and substituting instead "in collaboration with a licensed physician who has responsibility for and control of the services rendered by the nurse".

SECTION 5. Tennessee Code Annotated, Section 53-10-306(a)(3), is amended by deleting the language "supervising physician" and substituting instead "supervising or collaborating physician".

SECTION 6. Tennessee Code Annotated, Section 55-21-113, is amended by deleting the language "supervising physician" and substituting instead "collaborating physician".

SECTION 7. Tennessee Code Annotated, Section 56-7-1004(a), is amended by deleting the language "under the physician's supervision" wherever it appears and substituting instead "working in collaboration with the physician".

SECTION 8. Tennessee Code Annotated, Section 63-1-306(a)(3)(B), is amended by deleting the subdivision and substituting instead the following:

(B) All physician assistants licensed under chapter 19 of this title who practice in a licensed pain clinic shall collaborate with a pain medicine specialist.

SECTION 9. Tennessee Code Annotated, Section 63-3-101(e), is amended by deleting the subsection and substituting instead the following:

(e) A licensed podiatrist may collaborate with a physician assistant or an orthopedic physician assistant licensed pursuant to chapter 19 of this title. A podiatrist collaborating with a physician assistant pursuant to this subsection (e) shall comply with the requirements of and any rules adopted pursuant to §§ 63-19-106 and 63-19-107 governing collaboration with a physician assistant. A podiatrist collaborating with an orthopedic physician assistant pursuant to this subsection (e) shall comply with the requirements of and any rules adopted pursuant to §§ 63-19-203 - 63-19-205 governing collaboration with an orthopedic physician assistant.

SECTION 10. Tennessee Code Annotated, Section 63-3-118, is amended by deleting the language "supervised by" wherever it appears and substituting instead "collaborating with".

SECTION 11. Tennessee Code Annotated, Section 63-6-204(b), is amended by deleting the language "under the supervision, control and responsibility of a licensed physician" and substituting instead "under the supervision of or in collaboration with a licensed physician who has responsibility for and control of the service rendered".

SECTION 12. Tennessee Code Annotated, Section 63-6-243, is amended by deleting the language "supervising physician" wherever it appears and substituting instead "collaborating physician".

SECTION 13. Tennessee Code Annotated, Section 63-6-243, is amended by deleting the language "A physician supervising" and substituting instead "A collaborating physician responsible for".

SECTION 14. Tennessee Code Annotated, Section 63-6-802(9), is amended by deleting the language "supervising physician" and substituting instead "collaborating physician".

SECTION 15. Tennessee Code Annotated, Section 63-9-113, is amended by deleting the language "under the supervision, control and responsibility of a licensed osteopathic physician" and substituting instead "under the supervision of or in collaboration with a licensed osteopathic physician who has responsibility for and control of the service rendered".

SECTION 16. Tennessee Code Annotated, Section 63-9-120, is amended by deleting the language "supervising physician" wherever it appears and substituting instead "collaborating physician".

SECTION 17. Tennessee Code Annotated, Section 63-9-120, is amended by deleting the language "A physician supervising" and substituting instead "A collaborating physician responsible for".

SECTION 18. Tennessee Code Annotated, Section 63-10-217(d)(2), is amended by deleting the subdivision and substituting instead the following:

(2) If the collaborative practice agreement includes one (1) or more prescribers who are physician assistants (PAs), the collaborating physician who has primary responsibility for collaborating with the PA must also approve and sign the collaborative pharmacy practice agreement. The collaborating physician may only approve a collaborative pharmacy practice agreement of a PA if the services authorized in the agreement are included in the routine services delivered by the collaborating physician in the physician's medical practice. An authorizing prescriber entering into the

collaborative pharmacy practice agreements shall be available for consultation with the pharmacist or pharmacists as needed.

SECTION 19. Tennessee Code Annotated, Section 63-19-102(3), is amended by deleting the language "under the supervision of" and substituting instead "in collaboration with".

SECTION 20. Tennessee Code Annotated Section 63-19-106(a)(1), is amended by deleting the words "under the supervision of" and substituting instead the words "in collaboration with."

SECTION 21. Tennessee Code Annotated, Section 63-19-106(a)(2), is amended by deleting the word "Supervision" and substituting instead the word "Collaboration", and is further amended by deleting the word "supervising" and substituting instead the word "collaborating" wherever it appears in that subdivision.

SECTION 22. Tennessee Code Annotated, Section 63-19-106(a)(3), is amended by deleting the word "supervising" and substituting instead the word "collaborating".

SECTION 23. Tennessee Code Annotated, Section 63-19-106(a)(4), is amended by deleting the word "supervising" and substituting instead the word "collaborating".

SECTION 24. Tennessee Code Annotated, Section 63-19-106(a)(5), is amended by deleting the word "supervising" and substituting instead the word "collaborating".

SECTION 25. Tennessee Code Annotated, Section 63-19-106(b), is amended by deleting the language of that subsection and substituting instead the following:

(b) A physician assistant shall, at all times, practice in collaboration with a licensed physician who has control of and responsibility for the services provided by the physician assistant and the duty of assuring that there is proper collaboration with the physician.

SECTION 26. Tennessee Code Annotated, Section 63-19-106(c), is amended by deleting the words "supervision of physician assistants by" and substituting instead the words "collaboration of physician assistants with".

SECTION 27. Tennessee Code Annotated, Section 63-19-106(d), is amended by deleting the words "supervised by" and substituting instead the words "practicing in collaboration with".

SECTION 28. Tennessee Code Annotated, Section 63-19-106(d)(2), is amended by deleting the words "supervision of" and substituting instead the words "collaboration with".

SECTION 29. Tennessee Code Annotated, Section 63-19-107, is amended by deleting the language "A licensed physician supervising" at the beginning of the section and substituting instead "A licensed physician collaborating with".

SECTION 30. Tennessee Code Annotated, Section 63-19-107(1), is amended by deleting the subdivision and substituting instead the following:

(1) More than one (1) physician may collaborate with the same physician assistant; provided, each physician assistant shall have a primary collaborating physician and may have additional alternate collaborating physicians who shall collaborate with the physician assistant in the absence or unavailability of the primary collaborating physician. Each physician assistant shall notify the committee of the name, address, and license number of the physician assistant's primary collaborating physician and shall notify the committee of any change in such primary collaborating physician within fifteen (15) days of the change. The number of physician assistants for whom a physician may serve as the collaborating physician shall be determined by the physician at the practice level, consistent with good medical practice. The collaborating physician shall designate one (1) or more alternate physicians who have agreed to

accept the responsibility of collaborating with the physician assistant on a prearranged basis in the collaborating physician's absence.

SECTION 31. Tennessee Code Annotated, Section 63-19-107(2)(A), is amended by deleting the language "a supervising physician may delegate to a physician assistant working under the physician's supervision" from the first sentence and substituting instead the language "a collaborating physician may delegate to a physician assistant working in collaboration with the physician".

SECTION 32. Tennessee Code Annotated, Section 63-19-107(2)(B), is amended by deleting the words "supervising physician" and substituting instead the words "collaborating physician" wherever they appear in the subdivision.

SECTION 33. Tennessee Code Annotated, Section 63-19-107(2)(B)(i), is amended by deleting the words "having supervision, control and responsibility for prescription services rendered by the physician assistant" and substituting instead the words "collaborating with the physician assistant who has responsibility for and control of prescription services rendered by the physician assistant".

SECTION 34. Tennessee Code Annotated, Section 63-19-107(2)(C), is amended by deleting the first sentence of the subdivision and substituting instead the following:

The prescriptive practices of physician assistants and their collaborating physicians shall be monitored by the board and committee.

SECTION 35. Tennessee Code Annotated, Section 63-19-107(2)(D), is amended by deleting the word "supervising" and substituting instead the word "collaborating".

SECTION 36. Tennessee Code Annotated, Section 63-19-107(2)(E)(i), is amended by deleting the word "supervising" and substituting instead the word "collaborating" wherever it appears.

SECTION 37. Tennessee Code Annotated, Section 63-19-107(2)(F), is amended by deleting the language of that subdivision and substituting instead the following:

(F) No drugs shall be dispensed by a physician assistant except under the control and responsibility of the collaborating physician.

SECTION 38. Tennessee Code Annotated, Section 63-19-107(2)(H), is amended by deleting the word "supervising" and substituting instead the word "collaborating".

SECTION 39. Tennessee Code Annotated, Section 63-19-107(4), is amended by deleting the word "supervise" and substituting instead the words "collaborate with".

SECTION 40. Tennessee Code Annotated, Section 63-19-203(a), is amended by deleting the language "under the supervision of" wherever it appears and substituting instead "in collaboration with".

SECTION 41. Tennessee Code Annotated, Section 63-19-203(b), is amended by deleting the subsection and substituting instead the following:

(b) Collaboration between a collaborating physician and a licensed orthopedic physician assistant shall require active and continuous overview by the collaborating physician to ensure that the physician's directions, orders, and advice are in fact being implemented, but does not require the constant physical presence of the collaborating physician. The collaborating physician shall, however, make a personal review of historical, physical, and therapeutic data on all patients and their condition and so certify by personal signature in a timely manner.

SECTION 42. Tennessee Code Annotated, Section 63-19-203(c), is amended by deleting the language "supervised by" and substituting instead "collaborating with".

SECTION 43. Tennessee Code Annotated, Section 63-19-203(c)(2), is amended by deleting the language "the supervision of" and substituting instead "collaboration with".

SECTION 44. Tennessee Code Annotated, Section 63-19-204, is amended by deleting the language "supervising physician" wherever it appears and substituting instead "collaborating physician".

SECTION 45. Tennessee Code Annotated, Section 63-19-205, is amended by deleting the language "supervising physician" wherever it appears and substituting instead "collaborating physician".

SECTION 46. Tennessee Code Annotated, Section 63-19-205, is amended by deleting the language "supervising" wherever it appears and substituting instead "collaborating with".

SECTION 47. Tennessee Code Annotated, Section 63-19-205, is amended by deleting the language "supervise" wherever it appears and substituting instead "collaborate with".

SECTION 48. Tennessee Code Annotated, Section 63-32-105(a)(19), is amended by deleting the language "supervising" and substituting instead "collaborating".

SECTION 49. Tennessee Code Annotated, Section 63-32-115(a), is amended by deleting the fourth sentence of the subsection and substituting instead the following:

The department shall also allow a collaborating physician at any time the opportunity to review, accept, and update the existence of a collaborating relationship between the physician and a physician assistant licensed under § 63-19-105.

SECTION 50. Tennessee Code Annotated, Section 63-32-115(b), is amended by deleting the language "supervisory relationship" and substituting instead "collaborative relationship".

SECTION 51. Tennessee Code Annotated, Section 63-32-115(d)(2), is amended by deleting the word "supervisory" and substituting instead the word "collaborating".

SECTION 52. Tennessee Code Annotated, Section 68-1-128, is amended by deleting the language "or supervising physician, as appropriate" wherever it appears.



SECTION 53. Tennessee Code Annotated, Section 68-1-128(a)(2), is amended by deleting the words "or physician supervisor, as appropriate".

SECTION 54. Tennessee Code Annotated, Section 68-1-128(e), is amended by deleting the language "or supervising physician, as appropriate,".

SECTION 55. Tennessee Code Annotated, Section 68-1-128(f), is amended by deleting the language "or supervising physician's licensing board, as appropriate" and substituting instead the language "licensing board,".

SECTION 56. Tennessee Code Annotated, Section 68-3-512, is amended by deleting the language "supervising physician" and substituting instead "collaborating physician".

SECTION 57. Tennessee Code Annotated, Section 68-10-104(c)(2), is amended by deleting the language "supervising physician" wherever it appears and substituting instead "collaborating physician".

SECTION 58. This act shall take effect July 1, 2018, the public welfare requiring it.