

ENROLLED ACT NO. 38, SENATE

SIXTY-SIXTH LEGISLATURE OF THE STATE OF WYOMING
2021 GENERAL SESSION

AN ACT relating to physician assistants; amending and repealing provisions governing physician assistants; expanding the authorized scope of practice for physician assistants; and providing for an effective date.

Be It Enacted by the Legislature of the State of Wyoming:

Section 1. W.S. 33-26-513 is created to read:

33-26-513. Advertising and display of license requirement.

(a) Any advertisement for health care services that names a person practicing medicine as a physician assistant shall identify the license held under this article. The advertisement shall be free from deceptive or misleading information.

(b) A person practicing medicine as a physician assistant shall conspicuously post and affirmatively communicate to the patient the license held under this article. Posting and communication shall include:

(i) Wearing a photo identification name tag during all patient encounters. The name tag shall:

(A) Include a recent photograph of the licensed physician assistant;

(B) Include the license holder's name;

(C) Include the license held under this article;

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(D) Be of a sufficient size for a patient to read the contents of the name tag; and

(E) Be worn in a conspicuous manner so as to be visible and apparent to the patient.

(ii) Displaying in a conspicuous place in the office wherein the practice of medicine is conducted a license certificate or other writing issued by the board that clearly identifies the license held under this article. The certificate or other writing shall be of sufficient size so as to be visible and apparent to all current and prospective patients;

(iii) Compliance with these posting and communication requirements in each practice setting.

(c) A person practicing medicine as a physician assistant and working in a setting that does not involve direct patient care interaction is not subject to the posting and communication requirements in subsection (b) of this section.

Section 2. W.S. 33-26-102(a)(xi)(C), 33-26-501(a)(ii), 33-26-502(a), (b) and (e), 33-26-503(b)(ii) and (v)(intro), 33-26-504(a) and (c), 33-26-508(a) and 33-26-510(c) are amended to read:

33-26-102. Definitions.

(a) As used in this chapter:

(xi) "Practicing medicine" means any person who in any manner:

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(C) Attaches the title of M.D., D.O., P.A., physician, surgeon, osteopathic physician or osteopathic surgeon, doctor, physician assistant or any other words, letters or abbreviations or any combination thereof when used in the conduct of any occupation or profession pertaining to the prevention, diagnosis or treatment of human disease or condition unless the designation additionally contains the description of another branch of the healing arts for which one holds a valid license in this state; or

ARTICLE 5

PHYSICIAN ASSISTANTS

33-26-501. Definitions.

(a) As used in this article:

(ii) "License" means a license to practice medicine as a physician assistant in this state;

33-26-502. Scope of W.S. 33-26-501 through 33-26-511; signature authority.

(a) This article does not apply to persons enrolled in a physician assistant education program. ~~approved by the board.~~

(b) A physician assistant ~~assists in the practice of~~ is an individual who practices medicine. ~~under the supervision of a licensed physician. Within the physician/physician assistant relationship, physician assistants exercise autonomy in medical decision making and~~ A physician assistant is qualified by the individual's

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education, training and experience to provide a broad range of diagnostic, therapeutic and health promotion and disease prevention services. ~~The~~ A physician assistant may ~~perform those duties and responsibilities delegated to him by the supervising physician when the duties and responsibilities are provided under the supervision of a licensed physician approved by the board, within the scope of the physician's practice and expertise and within the skills of the physician assistant.~~ collaborate with or refer to the appropriate member of a healthcare team as indicated by the condition of the patient and the education, experience and competence of the physician assistant and current standard of care. The degree of collaboration shall be determined at the practice level, which may include decisions made by the employer, group, hospital service or the credentialing and privileging systems.

(e) Except as otherwise provided by law and including the restriction in W.S. 33-26-510(c), a physician assistant ~~acting within the scope of the physician assistant's practice~~ may fulfill any requirement for a signature, certification, stamp, verification, affidavit, endorsement or other acknowledgement by a physician. ~~Nothing in this subsection shall be construed to expand the scope of practice of a physician assistant as provided in this article or to expand the duties and responsibilities delegated to a physician assistant by the physician assistant's supervising physician.~~

33-26-503. Board powers and duties.

(b) The board shall:

(ii) Investigate allegations that a physician assistant ~~or his supervising physician~~ has engaged in

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conduct constituting a ground for revocation in W.S. 33-26-402 or 33-26-508;

(v) Appoint members to serve on an advisory committee to the board of medicine. ~~At least two (2) A~~ majority of the members of the advisory committee shall be physician assistants. ~~and two (2) members shall be physicians.~~—The committee members are responsible to and shall serve at the board's pleasure. The advisory committee shall review and make recommendations to the board regarding all matters relating to physician assistants that come before the board, including but not be limited to:

33-26-504. License required; application; qualifications; consideration of applications.

(a) No person shall practice as a physician assistant or represent ~~that he is oneself as~~ a physician assistant without a license granted by the board.

(c) The board may issue a temporary license to any person who successfully completes a CAAHEP or other board approved program for the education and training of a physician assistant but has not passed a certification examination. To allow the opportunity to take the next available certification examination, any temporary license issued pursuant to this subsection shall be issued for a period not to exceed one (1) year and under conditions as the board determines pursuant to W.S. 33-26-505. The board may adopt rules to ensure that persons receiving a temporary license under this subsection are supervised by a physician assistant with not less than five (5) years of licensed experience who is approved by the board or by a physician who is approved by the board.

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33-26-508. Suspension, restriction, revocation or nonrenewal of license.

(a) The board may refuse to renew, and may revoke, suspend or restrict a license or take other disciplinary action, including the imposition of conditions or restrictions upon a license on one (1) or more of the grounds enumerated under W.S. 33-26-402~~(a)(i) through (x), (xii) and (xiv) through (xxxiv)~~ provided that each reference in W.S. 33-26-402(a) to the "practice of medicine," "practice medicine," or like phrase shall be deemed the "practice as a physician assistant" for purposes of this section.

33-26-510. Prescription of drugs.

(c) ~~A physician assistant may prescribe medications only as an agent of the supervising physician.~~ A physician assistant ~~may~~ shall not prescribe schedule I drugs as defined by W.S. 35-7-1013 through 35-7-1014. ~~The supervising physician may delegate authority to the~~ A physician assistant ~~to~~ may prescribe schedule II, III, IV or V drugs as defined by W.S. 35-7-1015 through 35-7-1022. A physician assistant may dispense prepackaged medications in rural clinics when pharmacy services are not physically available. The board shall, after consultation with the state board of pharmacy, promulgate rules and regulations governing the prescription of medications by a physician assistant.

Section 3. W.S. 33-26-501(a)(i), (iii)(C) and (v) through (vii), 33-26-503(b)(vii) and 33-26-504(e) through (g) are repealed.

ORIGINAL SENATE
FILE NO. SF0033

ENGROSSED

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Section 4. This act is effective January 1, 2022.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the Senate.

Chief Clerk