

45:9-1

LEGISLATIVE HISTORY CHECKLIST
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(Physicians' assistants--
licensing--amendments)

NJSA: 45:9-1 et al

LAWS OF: 1992 CHAPTER: 102

BILL NO: A906

SPONSOR(S) Felice and others

DATE INTRODUCED: February 13, 1992

COMMITTEE: ASSEMBLY: Health & Human Services
SENATE: Health & Human Services

AMENDED DURING PASSAGE: Yes Amendments during passage
denoted by asterisks

DATE OF PASSAGE: ASSEMBLY: March 23, 1992 Re-enacted 8-3-92
SENATE: May 7, 1992 Re-enacted 9-14-92

DATE OF APPROVAL: September 21, 1992

FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:

SPONSOR STATEMENT: Yes

COMMITTEE STATEMENT: ASSEMBLY: Yes
SENATE: Yes

FISCAL NOTE: No

VETO MESSAGE: Yes

MESSAGE ON SIGNING: No

FOLLOWING WERE PRINTED:

REPORTS: No

HEARINGS: No

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[THIRD REPRINT]
ASSEMBLY, No. 906
STATE OF NEW JERSEY

INTRODUCED FEBRUARY 13, 1992

By Assemblymen FELICE, MIKULAK and T. Smith

1 AN ACT concerning the licensure of physician assistants, and
2 amending P.L.1991, c.378 and R.S.45:9-1.

3

4 BE IT ENACTED *by the Senate and General Assembly of the*
5 *State of New Jersey:*

6 1. Section 2 of P.L.1991, c.378 (C.45:9-27.11) is amended to
7 read as follows:

8 2. As used in this act:

9 "Approved program" means an education program for physician
10 assistants which is approved by the Committee on Allied Health
11 Education and Accreditation or its successor.

12 "Board" means the State Board of Medical Examiners created
13 pursuant to R.S.45:9-1.

14 "Committee" means the Physician Assistant Advisory
15 Committee established pursuant to section 11 of this act.

16 ["Director" means the Director of the Division of Consumer
17 Affairs.]

18 ³"Director" means the Director of the Division of Consumer
19 Affairs.³

20 "Health care facility" means a health care facility as defined
21 in section 2 of P.L.1971, c.136 (C.26:2H-2).

22 "Institution" means any of the charitable, hospital, relief and
23 training institutions, noninstitutional agencies, and correctional
24 institutions enumerated in R.S.30:1-7.

25 "Physician assistant" means a person who holds a current, valid
26 license issued pursuant to section 4 of this act.

27 "Physician" means a person licensed to practice medicine and
28 surgery pursuant to chapter 9 of Title 45 of the Revised Statutes.

29 "Veterans' home" means the New Jersey Veterans' Memorial
30 Home - Menlo Park, the New Jersey Veterans' Memorial Home -
31 Vineland and the New Jersey Veterans' Memorial Home -
32 Paramus.

33 (cf: P.L.1991, c.378, s.2)

34 2. Section 4 of P.L.1991, c.378 (C.45:9-27.13) is amended to
35 read as follows:

36 4. a. The [director] board shall issue a license as a physician
37 assistant to an applicant who has fulfilled the following
38 requirements:

39 (1) Is at least 18 years of age;

40 (2) Is of good moral character;

41 (3) Has successfully completed an approved program; and

42 (4) Has passed ¹[a written examination selected and

EXPLANATION--Matter enclosed in bold-faced brackets [thus] in the
above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Senate SHH committee amendments adopted March 30, 1992.

² Assembly floor amendments adopted May 18, 1992.

³ Assembly amendments adopted in accordance with Governor's
recommendations July 20, 1992.

1 administered by the [director] board the national certifying
2 examination administered by the National Commission on
3 Certification of Physician Assistants, or its successor¹.

4 b. In addition to the requirements of subsection a. of this
5 section, an applicant for renewal of a license as a physician
6 assistant shall:

7 (1) Execute and submit a sworn statement made on a form
8 provided by the [director] board that neither the license for which
9 renewal is sought nor any similar license or other authority issued
10 by another jurisdiction has been revoked, suspended or not
11 renewed; and

12 (2) Present satisfactory evidence that any continuing
13 education requirements have been completed as required by this
14 act.

15 c. The [director] board, in consultation with the committee,
16 may accept, in lieu of the ¹[written]¹ examination required by
17 paragraph (4) of subsection a. of this section, proof that an
18 applicant for licensure holds a current license in a state which
19 has standards substantially equivalent to those of this State.

20 ²[d. The board shall issue a temporary license to an applicant
21 who meets the requirements in paragraphs (1), (2) and (3) of
22 subsection a. of this section and who is either waiting to take the
23 next scheduled examination or is awaiting the results of the
24 examination. The temporary license shall expire upon the
25 applicant's receipt of notification of failure to pass the
26 examination.]¹²

27 (cf: P.L.1991, c.378, s.4)

28 3. Section 5 of P.L.1991, c.378 (C.45:9-27.14) is amended to
29 read as follows:

30 5. a. A physician assistant may be employed by a physician, a
31 health care facility, an institution or a veterans' home.

32 b. A physician, health care facility, institution or veterans'
33 home which employs a physician assistant shall file with the
34 [director] board a notice of employment within 10 days after the
35 date on which the employment commences, on a form and in
36 accordance with rules to be promulgated by the [director] board
37 in accordance with section 17 of this act.

38 (cf: P.L.1991, c.378, s.5)

39 4. Section 6 of P.L.1991, c.378 (C.45:9-27.15) is amended to
40 read as follows:

41 6. a. A physician assistant may practice in all medical care
42 settings, including, but not limited to, a physician's office, a
43 health care facility, an institution, a veterans' home or a private
44 home, provided that:

45 (1) the physician assistant is under the direct supervision of a
46 physician pursuant to section 9 of this act;

47 (2) the practice of the physician assistant is limited to those
48 procedures authorized under section 7 of this act;

49 (3) an appropriate notice of employment has been filed with
50 the [director] board pursuant to subsection b. of section 5 of this
51 act;

52 (4) the supervising physician or physician assistant advises the
53 patient at the time that services are rendered that they are to be
54 performed by the physician assistant;

1 (5) the physician assistant conspicuously wears an
2 identification tag using the term "physician assistant" whenever
3 acting in that capacity; and

4 (6) any entry by a physician assistant in a clinical record is
5 appropriately signed and followed by the designation, "PA-C."

6 b. Any physician assistant who practices in violation of any of
7 the conditions specified in subsection a. of this section shall be
8 deemed to have engaged in professional misconduct in violation
9 of subsection f. of section 8 of P.L.1978, c.73 (C.45:1-21).

10 (cf: P.L.1991, c.378, s.6)

11 5. Section 7 of P.L.1991, c.378 (C.45:9-27.16) is amended to
12 read as follows:

13 7. a. A physician assistant may perform the following
14 procedures:

15 (1) Approaching a patient to elicit a detailed and accurate
16 history, perform an appropriate physical examination, identify
17 problems, record information and ¹interpret and¹ present
18 information to the supervising physician;

19 (2) Suturing and caring for wounds including removing sutures
20 and clips and changing dressings, except for facial wounds,
21 traumatic wounds requiring suturing in layers and infected
22 wounds;

23 (3) Providing patient counseling services and patient education
24 consistent with directions of the supervising physician;

25 (4) Assisting a physician in an inpatient setting by conducting
26 patient rounds, recording patient progress notes, determining and
27 implementing therapeutic plans jointly with the supervising
28 physician and compiling and recording pertinent narrative case
29 summaries;

30 (5) Assisting a physician in the delivery of services to patients
31 requiring continuing care in a private home, nursing home,
32 extended care facility or other setting, including the review and
33 monitoring of treatment and therapy plans;

34 (6) Facilitating the referral of patients to, and promoting their
35 awareness of, health care facilities and other appropriate
36 agencies and resources in the community; and

37 (7) Such other procedures suitable for discretionary and
38 routine performance by physician assistants as designated by the
39 [director] board pursuant to subsection a. of section 15 of this act.

40 b. A physician assistant may perform the following procedures
41 only when directed, ordered or prescribed by the supervising
42 physician or specified in accordance with protocols promulgated
43 pursuant to subsection c. of section 15 of this act [;] :

44 (1) Performing non-invasive laboratory procedures and related
45 studies or assisting duly licensed personnel in the performance of
46 invasive laboratory procedures and related studies;

47 (2) Giving injections, administering medications and requesting
48 diagnostic studies;

49 (3) Suturing and caring for facial wounds, traumatic wounds
50 requiring suturing in layers and infected wounds;

51 (4) Writing prescriptions or ordering medications in an
52 inpatient ³[or outpatient]¹³ setting in accordance with
53 ¹[section] ³[sections 9 and]¹ section³ 10 of this act; and

54 (5) Such other procedures as may be specified in accordance

1 with protocols promulgated in accordance with subsection b. of
2 section 15 of this act.

3 c. A physician assistant may assist a supervising surgeon in the
4 operating room when a qualified assistant physician is not
5 required by the board and a second assistant is deemed necessary
6 by the supervising surgeon.

7 (cf: P.L.1991, c.378, s.7)

8 6. Section 11 of P.L.1991, c.378 (C.45:9-27.20) is amended to
9 read as follows:

10 11. There is created within the [Division of Consumer Affairs
11 in the Department of Law and Public Safety] State Board of
12 Medical Examiners, a Physician Assistant Advisory Committee.
13 The committee shall consist of five members who are residents of
14 this State, one of whom shall be a public member and one of
15 whom shall be a physician licensed pursuant to chapter 9 of Title
16 45 of the Revised Statutes. The remaining three members shall
17 be, except for those first appointed, physician assistants licensed
18 in accordance with the provisions of this act. The physician
19 assistant members first appointed to the committee need not be
20 licensed in this State but shall be physician assistants certified by
21 the National Commission on Certification of Physician Assistants.

22 The Governor shall appoint the members of the committee for
23 a term of three years, except that of the members first
24 appointed, two shall be appointed for a term of one year, two
25 shall be appointed for a term of two years and one shall be
26 appointed for a term of three years. Each member shall serve
27 until [has] his successor has been qualified. Any vacancy in the
28 membership of the committee shall be filled for the unexpired
29 term in the same manner as the original appointments were
30 made. No member shall serve for more than two consecutive
31 terms in addition to any unexpired term to which he has been
32 appointed. The Governor may remove a member of the
33 committee for cause.

34 Members of the committee shall be compensated and
35 reimbursed for actual expenses reasonably incurred in the
36 performance of their official duties in accordance with
37 subsection a. of section 2 of P.L.1977, c.285 (C.45:1-2.5).

38 (cf: P.L.1991, c.378, s.11)

39 7. Section 12 of P.L.1991, c.378 (C.45:9-27.21) is amended to
40 read as follows:

41 12. The committee shall annually elect from among its
42 members a president and vice-president. The committee shall
43 meet at least twice each year and may hold additional meetings,
44 as necessary to discharge its duties. In addition to such meetings,
45 the committee shall meet at the call of the president, the
46 [director] board or the Attorney General.

47 (cf: P.L.1991, c.378, s.12)

48 8. Section 13 of P.L.1991, c.378 (C.45:9-27.22) is amended to
49 read as follows:

50 13. An Executive Director of the committee shall be appointed
51 by the [director] ³[board] director³ and shall serve at the
52 [director's] ³[board's] director's³ pleasure. The salary of the
53 Executive Director shall be determined by the [director] ³[board]
54 director³ within the limits of available funds. The [director]

1 ³[board] director³ shall be empowered within the limits of
2 available funds to hire any assistants and confidential
3 investigative personnel as are necessary to administer this act.

4 (cf: P.L.1991, c.378, s.13)

5 9. Section 14 of P.L.1991, c.378 (C.45:9-27.23) is amended to
6 read as follows:

7 14. a. The committee may have the following powers and
8 duties, as delegated by the [director] board:

9 (1) to evaluate and pass upon the qualifications of candidates
10 for licensure;

11 (2) to take disciplinary action, in accordance with P.L.1978,
12 c.73 (C.45:1-14 et seq.) against a physician assistant who violates
13 any provision of this act;

14 (3) to adopt and administer the examination to be taken by
15 applicants for licensure; and

16 (4) subject to the requirements of section 16 of this act, to
17 adopt standards for and approve continuing education programs.

18 b. In addition to the powers and duties specified in subsection
19 a. of this section, the committee may make recommendations to
20 the [director] board regarding any subjects pertinent to this act.

21 (cf: P.L.1991, c.378, s.14)

22 10. Section 15 of P.L.1991, c.378 (C.45:9-27.24) is amended to
23 read as follows:

24 15. The [director] board may receive and shall give due
25 consideration to advice from the [board and the] committee in
26 adopting regulations in accordance with the "Administrative
27 Procedure Act," P.L.1968, c.410 (C.[52:14B-2] 52:14B-1 et seq.),
28 in the following areas:

29 a. Designating additional procedures which may be performed
30 on a discretionary and routine basis by licensed physician
31 assistants in accordance with paragraph (7) of subsection a. of
32 section 7 of his act;

33 b. Designating additional procedures which may be performed
34 by a licensed physician assistant only when ordered, prescribed or
35 directed by the supervising physician; and

36 c. Establishing and adopting protocols to be followed by
37 licensed physician assistants performing any of the procedures
38 listed in subsection b. of section 7 of this act.

39 (cf: P.L.1991, c.378, s.15)

40 11. Section 16 of P.L.1991, c.378 (C.45:9-27.25) is amended to
41 read as follows:

42 16. a. The [director] board, or the committee if so delegated
43 by the [director] board, shall:

44 (1) approve only such continuing professional education
45 programs as are available to all physician assistants in this State
46 on a reasonable nondiscriminatory basis. Programs may be held
47 within or without this State, but shall be held so as to enable
48 physician assistants in all areas of the State to attend;

49 (2) establish standards for continuing professional education
50 programs, including the specific subject matter and content of
51 courses of study and the selection of instructors;

52 (3) accredit educational programs offering credits towards the
53 continuing professional education requirements; and

54 (4) establish the number of credits of continuing professional

1 education required of each applicant for license renewal. Each
2 credit shall represent or be equivalent to one hour of actual
3 course attendance, or in the case of those electing an [alterative]
4 alternative method of satisfying the requirements of this act,
5 shall be approved by the [director] board and certified pursuant to
6 procedures established for that purpose.

7 b. The [director] board may, at [his] its discretion:

8 (1) waive the requirements of paragraph (2) of subsection b. of
9 section 4 of this act for due cause; and

10 (2) accredit courses with non-hourly attendance, including
11 home study courses, with appropriate procedures for the issuance
12 of credit upon satisfactory proof of the completion of such
13 courses.

14 c. If any applicant for renewal of registration completes a
15 number of credit hours in excess of the number established
16 pursuant to paragraph (4) of subsection a. of this section, the
17 excess credit may, at the discretion of the [director] board, be
18 applicable to the continuing education requirement for the
19 following biennial renewal period but shall not be applicable
20 thereafter.

21 (cf: P.L.1991, c.378, s.16)

22 12. Section 17 of P.L.1991, c.378 (C.45:9-27.26) is amended to
23 read as follows:

24 17. The [director] board shall, in addition to such other powers
25 and duties as [he] it may possess by law:

26 a. Administer and enforce the provisions of this act;

27 b. Adopt and promulgate rules and regulations, pursuant to the
28 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
29 seq.), to effectuate the purposes of this act;

30 c. Establish professional standards for persons licensed under
31 this act;

32 d. Conduct hearings pursuant to the "Administrative
33 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), except that
34 the [director] board shall have the right to administer oaths to
35 witnesses, and shall have the power to issue subpoenas for the
36 compulsory attendance of witnesses and the production of
37 pertinent books, papers, or records;

38 e. Conduct proceedings before any board, agency or court of
39 competent jurisdiction for the enforcement of the provisions of
40 this act;

41 f. Evaluate and pass upon the qualifications of candidates for
42 licensure;

43 g. Establish standards for and approve educational programs
44 for physician assistants as required by paragraph (3) of subsection
45 a. of section 4 of this act;

46 h. Adopt and administer the examination to be taken by
47 applicants for licensure;

48 i. Subject to the requirements of section 16 of this act,
49 establish standards for and approve continuing education
50 programs; and

51 j. Have the enforcement powers provided pursuant to P.L.1978,
52 c.73 (C.45:1-14 et seq.).

53 (cf: P.L.1991, c.378, s.17)

54 13. Section 18 of P.L.1991, c.378 (C.45:9-27.27) is amended to

1 read as follows:

2 18. The provisions of the uniform enforcement law, P.L.1978,
3 c.73 (C.45:1-14 et seq.), shall apply to this act [and the director
4 shall be deemed to have all authority granted to any board under
5 that act]. The authority of the [director] board may be delegated
6 to the committee at the discretion of the [director] board.
7 (cf: P.L.1991, c.378, s.18)

8 14. Section 19 of P.L.1991, c.378 (C.45:9-27.28) is amended to
9 read as follows:

10 19. a. The [director] board shall by rule or regulation
11 establish, prescribe or change the fees for licenses, renewals of
12 licenses or other services provided by the [director] board or the
13 committee pursuant to the provisions of this act. Licenses shall
14 be issued for a period of two years and be biennially renewable,
15 provided however, that the [director] board may, in order to
16 stagger the expiration dates thereof, provide that those licenses
17 first issued or renewed after the effective date of this act shall
18 expire and become void on a date fixed by the [director] board,
19 not sooner than six months nor later than 29 months after the
20 date of issue.

21 b. Fees shall be established, prescribed or changed by the
22 [director] board pursuant to subsection a. of this section to the
23 extent as is necessary to defray all proper expenses incurred by
24 the committee, the [director] board and any staff employed to
25 administer this act. However, fees shall not be fixed at a level
26 that will raise amounts in excess of the amount estimated to be
27 so required.

28 c. All fees and any fines imposed by the [director] board shall
29 be paid to the [director] board and shall be forwarded to the State
30 Treasurer and become part of the General Fund.

31 d. There shall be annually appropriated to the Department of
32 Law and Public Safety for the use of the [director] board such
33 sums as shall be necessary to implement and effectuate ¹[to] the¹
34 provisions of this act.

35 (cf: P.L.1991, c.378, s.19)

36 15. R.S.45:9-1 is amended to read as follows:

37 45:9-1. The State Board of Medical Examiners, hereinafter in
38 this chapter designated as the "board" shall consist of [16] 17
39 members, one of whom shall be the Commissioner of Health, or
40 his designee, two of whom shall be public members and one an
41 executive department designee as required pursuant to section 2
42 of P.L.1971, c.60 (C.45:1-2.2), and [12] 13 of whom shall be
43 persons of recognized professional ability and honor, and shall
44 possess a license to practice their respective professions in New
45 Jersey, and all of whom shall be appointed by the Governor in
46 accordance with the provisions of section 2 of P.L.1971, c.60
47 (C.45:1-2.2); provided, however, that said board shall consist of
48 10 graduates of schools of medicine or osteopathic medicine who
49 shall possess the degree of M.D. or D.O. The number of
50 osteopathic physicians on the board shall be a minimum of, but
51 not limited to, two members. In addition the membership of said
52 board shall comprise one podiatrist, one physician assistant and
53 one licensed bio-analytical laboratory director, who may or may
54 not be the holder of a degree of M.D. The term of office of

1 members of the board hereafter appointed shall be three years or
2 until their successors are appointed. Said appointees shall, within
3 30 days after receipt of their respective commissions, take and
4 subscribe the oath or affirmation prescribed by law and file the
5 same in the office of the Secretary of State.

6 The Governor shall also appoint an advisory committee to
7 consist of four licensed bio-analytical laboratory directors, only
8 two of whom shall possess the degree of M.D. or D.O., and who
9 shall be appointed from a list to be submitted by the society or
10 organization of which the persons nominated are members. The
11 members of this advisory committee shall serve for a term of
12 three years and until their successors are appointed and qualified,
13 and shall be available to assist the board in the administration of
14 the "Bio-analytical Laboratory and Laboratory Directors Act
15 (1953)," P.L.1953, c.420 (C.45:9-42.1 et seq.). The advisory
16 committee shall meet at the call of the board. The board may
17 authorize reimbursement of the members of the advisory
18 committee for their actual expenses incurred in connection with
19 the performance of their duties as members of the committee.
20 (cf: P.L.1991, c.499, s.1)

21 16. This act shall take effect immediately.

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26 Provides for the licensure and regulation of physician assistants
27 by the State Board of Medical Examiners.

1 the "Bio-analytical Laboratory and Laboratory Directors Act
2 (1953)," P.L.1953, c.420 (C.45:9-42.1 et seq.). The advisory
3 committee shall meet at the call of the board. The board may
4 authorize reimbursement of the members of the advisory
5 committee for their actual expenses incurred in connection with
6 the performance of their duties as members of the committee.
7 (cf: P.L.1991,c.499,s.1)

8 16. This act shall take effect immediately.

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STATEMENT

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13 This bill provides for the licensure and regulation of physician
14 assistants practicing in this State by the State Board of Medical
15 Examiners. Currently, as provided in P.L.1991, c.378
16 (C.45:9-27.10 et seq.), licensure and regulation of physician
17 assistants is under the jurisdiction of the Director of the Division
18 of Consumer Affairs in the Department of Law and Public
19 Safety. Furthermore, the bill increases the membership of the
20 State Board of Medical Examiners from 16 to 17 and mandates
21 that the additional member be a physician assistant.

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26 Provides for the licensure and regulation of physician assistants
27 by the State Board of Medical Examiners.

ASSEMBLY HEALTH AND HUMAN SERVICES COMMITTEE

STATEMENT TO

ASSEMBLY, No. 906

STATE OF NEW JERSEY

DATED: FEBRUARY 27, 1992

The Assembly Health and Human Services Committee favorably reports Assembly Bill No. 906.

This bill provides for the licensure and regulation of physician assistants practicing in New Jersey by the State Board of Medical Examiners. Currently, as provided in P.L.1991, c.378 (C.45:9-27.10 et seq.), the licensure and regulation of physician assistants is under the jurisdiction of the Director of the Division of Consumer Affairs in the Department of Law and Public Safety. In addition, the bill increases the membership of the State Board of Medical Examiners from 16 to 17 and mandates that the additional member be a physician assistant.

This bill is identical to Senate Bill No. 350 (Bassano), which is currently pending in the Senate Health and Human Services Committee.

SENATE HEALTH AND HUMAN SERVICES COMMITTEE

STATEMENT TO

ASSEMBLY, No. 906

with committee amendments

STATE OF NEW JERSEY

DATED: MARCH 30, 1992

The Senate Health and Human Services Committee favorably reports Assembly Bill No. 906 with committee amendments.

As amended by committee, this bill transfers jurisdiction for the licensure and regulation of physician assistants practicing in New Jersey from the Director of the Division of Consumer Affairs in the Department of Law and Public Safety, to the State Board of Medical Examiners. In addition, the bill increases the membership of the State Board of Medical Examiners from 16 to 17 and mandates that the additional member be a physician assistant.

Physician assistants were authorized to practice in this State pursuant to P.L.1991, c.378 (C.45:9-27.10 et seq.), which was signed into law on January 15, 1992. That law takes effect on July 15, 1992.

The committee amended the bill to specify that the qualifying examination for physician assistants shall be the national certifying examination administered by the National Commission on Certification of Physician Assistants, or its successor. The amendments also authorized the board to issue a temporary license to qualified applicants who are waiting to take the next scheduled examination or who awaiting their test results. The temporary license would expire upon notification of failure to pass the examination. Also, the amendments authorize a physician assistant to interpret, as well as record and present, information to the supervising physician and extend a physician assistant's authority to write prescriptions or order medications in an outpatient setting, as well as in an inpatient setting, as the law currently provides.

This bill is identical to Senate Bill No. 350 SCA (Bassano), which the committee also reported favorably on this date.

STATE OF NEW JERSEY
EXECUTIVE DEPARTMENT

July 20, 1992

ASSEMBLY BILL NO. 906
(Second Reprint)

To the General Assembly:

Pursuant to Article V, Section I, Paragraph 14, of the New Jersey Constitution, I herewith return Assembly Bill No. 906 (Second Reprint) with my objections for reconsideration.

Health care costs are one of the greatest concerns of the citizens of our State. The ability of this nation and State to begin to contain health care costs while maintaining access to important health services is a tremendous challenge. We need to expand people's access to primary and preventative care services. The licensing of physician assistants provides another avenue for people to obtain affordable health services. While the University of Medicine and Dentistry of New Jersey has ranked first for the last five years in physician assistant graduates successfully completing the National Certification Exam, we became the last State in the nation to license physician assistants in January of this year.

The physician assistant law created the Physician Assistant Advisory Committee, and provides that physician assistants are to be licensed and regulated by the Director of the Division of Consumer Affairs. To become a physician assistant under the current law, an applicant must: be at least 18 years old; be of good moral character; have completed an approved program; and, pass a written examination selected and administered by the Director of the Division of Consumer Affairs.

Some of the routine clinical duties physician assistants can perform under the law are: take patient histories; perform physical exams; give injections; draw blood; remove sutures; administer medications; assist in surgery; and assist in uncomplicated obstetrical cases, pre- and post-operative care. By performing these functions, physician assistants can relieve doctors,

STATE OF NEW JERSEY
EXECUTIVE DEPARTMENT

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residents, fellows and attending full-time medical staff of these routine duties so that these individuals may attend to more vital and emergent medical matters.

This bill would grant broader prescriptive powers to physician assistants by allowing them to prescribe in out-patient settings. I believe that, especially in the out-patient setting, we must be very careful about authorizing such prescriptive powers. Therefore, I am removing the language in this legislation that would permit physician assistants to prescribe medication in the out-patient setting.

I am also proposing changes in two governance areas. As proposed, the Board of Medical Examiners is empowered to appoint the Executive Director of the Physician Assistants Advisory Committee, as well as to make decisions concerning the Committee's staffing needs. Consistent with past practice, appointment of the Executive Director should be placed with the Director of the Division of Consumer Affairs, as should decisions involving the Committee's staffing needs.

Although I have strong reservations about certain provisions in this bill, I feel that this legislation can be improved to the benefit of all those involved. As I have noted, physician assistants perform vital services in the health care profession. This bill and the changes I am recommending to it will help to ensure the health, safety and welfare of the public, and provide the public with affordable health care, while at the same time enabling physician assistants to develop their practice to the public's benefit.

Therefore, I herewith return Assembly Bill No. 906 (Second Reprint) and recommend that it be amended as follows:

Page 1, Section 1, Lines 16-17:

Restore to that section the definition of Director as the Director of the Division of Consumer Affairs. That language should read: "Director" means the Director of the Division of Consumer Affairs.

STATE OF NEW JERSEY
EXECUTIVE DEPARTMENT

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Page 3, Section 5, Lines 48-50:

Delete out-patient prescriptive practice and supervision under section 9. The new language should read: (4) Writing prescriptions or ordering medications in an inpatient setting in accordance with section 10 of this act; and

Page 4, Section 8, Lines 47-54:

Restore appointing authority of the Executive Director to the Director of the Division of Consumer Affairs. Delete all references to the Board of Medical Examiners in this section and restore references to the director. The section should read: 13. An Executive Director of the committee shall be appointed by the director and shall serve at the director's pleasure. The salary of the Executive Director shall be determined by the director within the limits of available funds. The director shall be empowered within the limits of available funds to hire any assistants and confidential investigative personnel as are necessary to administer this act.
(cf: P.L.1991, c.378, s.13)

Respectfully

/s/ Jim Florio

GOVERNOR

[seal]

Attest:

/s/ M. Robert DeCotiis

Chief Counsel to the Governor