

Rule Summary and Fiscal Analysis (Part A)**State Medical Board - Physician Assistant Licensing**

Agency Name

Division

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4730-1-08

Rule Number

NEW

TYPE of rule filing

Rule Title/Tag Line

**Physician assistant delegation of medical tasks and
administration of drugs.****RULE SUMMARY**1. Is the rule being filed for five year review (FYR)? **No**2. Are you proposing this rule as a result of recent legislation? **Yes**Bill Number: **SB110**General Assembly: **131**Sponsor: **Sen. Dave Burke**3. Statute prescribing the procedure in accordance with the agency is required to adopt the rule: **119.03**4. Statute(s) authorizing agency to adopt the rule: **4730.07; 4730.39**5. Statute(s) the rule, as filed, amplifies or implements: **4730.203, 4730.25**

6. State the reason(s) for proposing (i.e., why are you filing,) this rule:

Replacement rule 4730-1-08 sets out the standards for physician assistant delegation of medical tasks and drug administration.

7. If the rule is an AMENDMENT, then summarize the changes and the content of the proposed rule; If the rule type is RESCISSION, NEW or NO CHANGE,

then summarize the content of the rule:

Replacement rule 4730-1-08 informs physician assistants, supervising physicians, other participants in health care, and patients about the standards to which physician assistants will be held when delegating medical tasks and the administration of drugs. In addition, the proposed rule defines #delegate# and #task.# .

8. If the rule incorporates a text or other material by reference and the agency claims the incorporation by reference is exempt from compliance with sections 121.71 to 121.74 of the Revised Code because the text or other material is **generally available** to persons who reasonably can be expected to be affected by the rule, provide an explanation of how the text or other material is generally available to those persons:

The rule references provisions of the Ohio Revised Code that are readily available via an internet search, the Medical Board's website, and the public library.

9. If the rule incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material electronically, provide an explanation of why filing the text or other material electronically was infeasible:

Not applicable.

10. If the rule is being **rescinded** and incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material, provide an explanation of why filing the text or other material was infeasible:

Not Applicable.

11. If **revising** or **refiling** this rule, identify changes made from the previously filed version of this rule; if none, please state so. If applicable, indicate each specific paragraph of the rule that has been modified:

Not Applicable.

12. Five Year Review (FYR) Date:

(If the rule is not exempt and you answered NO to question No. 1, provide the scheduled review date. If you answered YES to No. 1, the review date for this rule is the filing date.)

NOTE: If the rule is not exempt at the time of final filing, two dates are required: the current review date plus a date not to exceed 5 years from the effective date for Amended rules or a date not to exceed 5 years from the review date for No Change rules.

FISCAL ANALYSIS

13. Estimate the total amount by which *this proposed rule* would **increase / decrease** either **revenues / expenditures** for the agency during the current biennium (in dollars): Explain the net impact of the proposed changes to the budget of your agency/department.

This will have no impact on revenues or expenditures.

0.00

Not applicable.

14. Identify the appropriation (by line item etc.) that authorizes each expenditure necessitated by the proposed rule:

Not applicable.

15. Provide a summary of the estimated cost of compliance with the rule to all directly affected persons. When appropriate, please include the source for your information/estimated costs, e.g. industry, CFR, internal/agency:

Effective October 15, 2015, the physician assistant license fee is \$500.00. The biennial renewal fee is \$200.00. The cost of the physician assistant performing some medical task or drug administration instead of delegating it depends upon the rate of pay of the physician assistant.

The licensure fee for physicians is \$335. The licensure renewal fee is \$305.00.

The Medical Board is unable to quantify the costs to physicians, medical practice entities, and health care facilities resulting from a physician assistant not having unfettered ability to delegate medical tasks and/or drug administration. The costs would depend on the policies related to physician assistant practice, the usage or not of unlicensed support personnel, and the rates of pay for physician assistants.

16. Does this rule have a fiscal effect on school districts, counties, townships, or municipal corporations? **No**

17. Does this rule deal with environmental protection or contain a component dealing with environmental protection as defined in R. C. 121.39? **No**

S.B. 2 (129th General Assembly) Questions

18. Has this rule been filed with the Common Sense Initiative Office pursuant to R.C. 121.82? **Yes**

19. Specific to this rule, answer the following:

A.) Does this rule require a license, permit, or any other prior authorization to engage in or operate a line of business? **No**

The rule is applicable to all physician assistants, who must be licensed in order to practice in Ohio. The practice must also be in compliance with a supervision agreement on file with the Medical Board.

B.) Does this rule impose a criminal penalty, a civil penalty, or another sanction, or create a cause of action, for failure to comply with its terms? **Yes**

Failure to comply with the requirements of replacement rule 4730-1-08 could subject a physician assistant to licensure disciplinary action up to and including license revocation as well as a civil penalty of up to twenty thousand dollars.

C.) Does this rule require specific expenditures or the report of information as a condition of compliance? **No**