



## 97TH GENERAL ASSEMBLY

### State of Illinois

2011 and 2012

HB5104

Introduced 2/8/2012, by Rep. Angelo Saviano

#### SYNOPSIS AS INTRODUCED:

225 ILCS 95/6	from Ch. 111, par. 4606
225 ILCS 95/7	from Ch. 111, par. 4607
225 ILCS 95/8 rep.	

Amends the Physician Assistant Practice Act of 1987. Removes the provision that a physician assistant shall not be allowed to bill patients or in any way charge for services. Removes language providing that a physician assistants may be employed by the Department of Corrections or the Department of Human Services for service in facilities maintained by such Departments and affiliated training facilities in programs conducted under the authority of the Director of Corrections or the Secretary of Human Services. Repeals the provision that provides a physician assistant may be employed by a jail or prison health facility. Effective immediately.

LRB097 19244 CEL 64486 b

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Physician Assistant Practice Act of 1987 is  
5 amended by changing Sections 6 and 7 as follows:

6 (225 ILCS 95/6) (from Ch. 111, par. 4606)

7 (Section scheduled to be repealed on January 1, 2018)

8 Sec. 6. Title; advertising billing.

9 (a) No physician assistant shall use the title of doctor or  
10 associate with his or her name or any other term that would  
11 indicate to other persons that he or she is qualified to engage  
12 in the general practice of medicine.

13 (b) A licensee shall include in every advertisement for  
14 services regulated under this Act his or her title as it  
15 appears on the license or the initials authorized under this  
16 Act.

17 ~~(c) A physician assistant shall not be allowed to bill~~  
18 ~~patients or in any way to charge for services.~~ Nothing in this  
19 Act, ~~however,~~ shall be so construed as to prevent the employer  
20 of a physician assistant from charging for services rendered by  
21 the physician assistant. Payment for services rendered by a  
22 physician assistant shall be made to his or her employer if the  
23 payor would have made payment had the services been provided by

1 a physician licensed to practice medicine in all its branches.

2 (d) The supervising physician shall file with the  
3 Department notice of employment, discharge, or supervisory  
4 control of a physician assistant at the time of employment,  
5 discharge, or assumption of supervisory control of a physician  
6 assistant.

7 (Source: P.A. 90-61, eff. 12-30-97; 90-116, eff. 7-14-97;  
8 90-655, eff. 7-30-98; 91-310, eff. 1-1-00.)

9 (225 ILCS 95/7) (from Ch. 111, par. 4607)

10 (Section scheduled to be repealed on January 1, 2018)

11 Sec. 7. Supervision requirements.

12 (a) No more than 2 physician assistants shall be supervised  
13 by the supervising physician, although a physician assistant  
14 shall be able to hold more than one professional position. Each  
15 supervising physician shall file a notice of supervision of  
16 such physician assistant according to the rules of the  
17 Department. However, the alternate supervising physician may  
18 supervise more than 2 physician assistants when the supervising  
19 physician is unable to provide such supervision consistent with  
20 the definition of alternate physician in Section 4. It is the  
21 responsibility of the supervising physician to maintain  
22 documentation each time he or she has designated an alternative  
23 supervising physician. This documentation shall include the  
24 date alternate supervisory control began, the date alternate  
25 supervisory control ended, and any other changes. A supervising

1 physician shall provide a copy of this documentation to the  
2 Department, upon request.

3 Physician assistants shall be supervised only by  
4 physicians as defined in this Act who are engaged in clinical  
5 practice, or in clinical practice in public health or other  
6 community health facilities.

7 Nothing in this Act shall be construed to limit the  
8 delegation of tasks or duties by a physician to a nurse or  
9 other appropriately trained personnel.

10 Nothing in this Act shall be construed to prohibit the  
11 employment of physician assistants by a hospital, nursing home  
12 or other health care facility where such physician assistants  
13 function under the supervision of a supervising physician.

14 ~~Physician assistants may be employed by the Department of~~  
15 ~~Corrections or the Department of Human Services (as successor~~  
16 ~~to the Department of Mental Health and Developmental~~  
17 ~~Disabilities) for service in facilities maintained by such~~  
18 ~~Departments and affiliated training facilities in programs~~  
19 ~~conducted under the authority of the Director of Corrections or~~  
20 ~~the Secretary of Human Services. Each physician assistant~~  
21 ~~employed by the Department of Corrections or the Department of~~  
22 ~~Human Services (as successor to the Department of Mental Health~~  
23 ~~and Developmental Disabilities) shall be under the supervision~~  
24 ~~of a physician engaged in clinical practice and direct patient~~  
25 ~~care. Duties of each physician assistant employed by such~~  
26 ~~Departments are limited to those within the scope of practice~~

1 ~~of the supervising physician who is fully responsible for all~~  
2 ~~physician assistant activities.~~

3 A physician assistant may be employed by a practice group  
4 or other entity employing multiple physicians at one or more  
5 locations. In that case, one of the physicians practicing at a  
6 location shall be designated the supervising physician. The  
7 other physicians with that practice group or other entity who  
8 practice in the same general type of practice or specialty as  
9 the supervising physician may supervise the physician  
10 assistant with respect to their patients without being deemed  
11 alternate supervising physicians for the purpose of this Act.

12 (b) A physician assistant licensed in this State, or  
13 licensed or authorized to practice in any other U.S.  
14 jurisdiction or credentialed by his or her federal employer as  
15 a physician assistant, who is responding to a need for medical  
16 care created by an emergency or by a state or local disaster  
17 may render such care that the physician assistant is able to  
18 provide without supervision as it is defined in this Section or  
19 with such supervision as is available. For purposes of this  
20 Section, an "emergency situation" shall not include one that  
21 occurs in the place of one's employment.

22 Any physician who supervises a physician assistant  
23 providing medical care in response to such an emergency or  
24 state or local disaster shall not be required to meet the  
25 requirements set forth in this Section for a supervising  
26 physician.

1 (Source: P.A. 95-703, eff. 12-31-07; 96-70, eff. 7-23-09.)

2 (225 ILCS 95/8 rep.)

3 Section 10. The Physician Assistant Practice Act of 1987 is  
4 amended by repealing Section 8.

5 Section 99. Effective date. This Act takes effect upon  
6 becoming law.