



PHYSICIAN ASSISTANT RULES

Significant changes were made to the physician assistant practice act, Chapter 4730 of the Ohio Revised Code, in Senate Bill 110, effective October 15, 2015. As a result, the rules applicable to physician assistants must be reviewed for consistency with the new provisions of the Ohio Revised Code.

The Medical Board, with the recommendation of the Physician Assistant Policy Committee, plans to amend those rules that are necessary to implement the Ohio Revised Code and rescind all rules that merely restate the provisions of the Ohio Revised Code or which are no longer required. The plan calls for guidance documents to be issued where appropriate instead of having rules that merely restate the Ohio Revised Code. Current guidance documents are available on the Medical Board's website at the following link:

<http://med.ohio.gov/PASB110Implementation.aspx>.

PAPC and the Medical Board have completed initial review of the following rules, and are seeking interested party comment through May 12, 2016:

- 4730-1-02 Physician assistant practice:** Proposed to be rescinded
- 4730-1-03 Duties of a supervising physician:** Proposed to be rescinded
- 4730-1-04 Supervision:** Proposed to be rescinded
- 4730-1-06 Certificate to practice as a physician assistant:** Proposed to be amended
- Changes "certificate to practice" to "license;"
 - Strikes the reference to administrative hearings in paragraph (E) because the content of the paragraph merely recites what is in the Ohio Revised Code and is not needed to implement the Ohio Revised Code
 - New paragraph (E) references Rule 4731-6-35, OAC, for the processing of applications from service members, veterans, or spouses of service members or veterans;
 - New paragraph (G) describes how to obtain a valid prescriber number for a current licensee who does not have one;
 - New paragraph (J) sets continuing education requirements for renewal of a license with a valid prescriber number, and adds "American Academy of Physician Assistants," American Council on Pharmacy Education," and advanced instructional programs in pharmacology approved by the Ohio board of nursing pursuant to rule;
 - New paragraph (K) sets forth the mechanism for a physician assistant on active duty in any of the armed forces to apply for an extension of the continuing education period.
- 4730-1-07 Miscellaneous provisions:** Proposed to be amended
- Adds Rule 4731-11-04.1 and the rules in Chapters 4731-25 and 4731-29 to the rules applicable to physician assistants;
 - Changes "certificate to practice" to "license."
- 4730-2-03 Application for a provisional certificate to prescribe:** Proposed to be rescinded
- 4730-3-01 Definitions** (related to criminal records checks): Proposed to be amended
- Amends language to current terminology.
- 4730-3-02 Criminal records checks:** Proposed to be amended
- Amends language to current terminology.

Please send comments no later than **May 12, 2016** to: Sallie.Debolt@med.ohio.gov

4730-1-06

~~Certificate to practice~~ Licensure as a physician assistant.

- (A) All applicants for a ~~certificate to practice as a~~ physician assistant license shall file a written application under oath in the manner provided by section 4730.10 of the Revised Code.
- (B) No application shall be considered filed, and shall not be reviewed, until the fee required by section 4730.10 of the Revised Code has been received by the board.
- (C) An application shall be considered complete when all of the following requirements are met:
- (1) The fee required pursuant to section 4730.10 of the Revised Code has been received by the board;
 - (2) Verification of the applicant's current certification has been received by the board directly from the "National Commission on Certification of Physician Assistants";
 - (3) All information required by section 4730.10 of the Revised Code, including such other facts and materials as the board requires, has been received by the board; and
 - (4) The applicant has complied with the requirements of paragraph (A) of rule 4730-3-02 of the Administrative Code and the board has received the results of the criminal records checks and any other forms required to be submitted pursuant to paragraph (A) of rule 4730-3-02 of the Administrative Code.
 - (5) The board is not conducting an investigation, pursuant to section 4730.26 of the Revised Code, of evidence appearing to show that the applicant has violated section 4730.25 of the Revised Code or applicable rules adopted by the board.
- (D) All application materials submitted to the board will be thoroughly investigated. The board will contact individuals, agencies, or organizations for information about applicants as the board deems necessary. As part of the application process, an applicant may be requested to appear before the board or a representative thereof to answer questions or provide additional information.
- ~~(E) Any applicant to whom the board proposes to deny certificate issuance pursuant to Chapter 4730. of the Revised Code or because of failure to meet any of the requirements of the rules of the board shall be entitled to a hearing on the issue of such proposed denial. Notice and hearing requirements incident to such proposed denial will be in compliance with the provisions of Chapter 119. of the Revised Code and any rules adopted by the board.~~

~~(F) No application for a certificate to practice as a physician assistant may be withdrawn without the approval of the board.~~

(E) Applications received from service members, veterans, or spouses of service members or veterans shall be identified and processed in accordance with rule 4731-6-35 of the Administrative Code.

~~(G)~~(F) The following processes apply when an application is not complete within six months of the date the application is filed with the board:

(1) If the application is not complete because required information, facts, or other materials have not been received by the board, the board may notify the applicant by certified mail that it intends to consider the application abandoned if the application is not completed.

(a) The written notice shall:

(i) Specifically identify the information, facts, or other materials required to complete the application; and

(ii) Inform the applicant that the information, facts, or other materials must be received by the deadline date specified; that if the application remains incomplete at the close of business on the deadline date the application may be deemed to be abandoned and no further review of the application will occur; and that if the application is abandoned the submitted fees shall neither be refundable nor transferable to a subsequent application.

(b) If all of the information, facts, or other materials are received by the board by the deadline date and the application is determined to be complete, the board shall process the application and may require updated information as it deems necessary.

(2) If the application is not complete because the board is investigating, pursuant to section 4730.26 of the Revised Code, evidence appearing to show that the applicant has violated Chapter 4730. of the Revised Code or applicable rules adopted by the board, the board shall do both of the following:

(a) Notify the applicant that although otherwise complete, the application will not be processed pending completion of the investigation; and

(b) Upon completion of the investigation and the determination that the

applicant is not in violation of statute or rule, process the application, including requiring updated information as it deems necessary.

(G) The holder of a physician assistant license issued under section 4730.11 of the Revised Code who did not have a qualifying master's degree or higher at that time of licensure and did not receive a valid prescriber number with the license may obtain a valid prescriber number by meeting the requirements of division (E)(3) of section 4730.11 of the Revised Code

(H) A ~~certificate to practice as a~~ physician assistant license must be renewed in the manner and according to the requirements of section 4730.14 of the Revised Code.

(I) ~~The CME requirement for renewal of the certificate to practice~~ To qualify for renewal of a physician assistant license, the holder shall comply with the following~~is as follows:~~

(1) Each applicant for renewal shall certify that the applicant has completed the requisite hours of CME since the start of the licensure registration period.

(2) Except as provided in paragraph ~~(H)~~(3) of this rule, a physician assistant shall have completed one hundred hours of CME during the licensure registration period.

(3) If the ~~certificate to practice~~ physician assistant license is initially issued prior to the first day of the second year of a licensure ~~registration~~ period, an individual shall be required to earn fifty total hours; if the license is issued on or after the first day of the second year of a licensure ~~registration~~ period and prior to the first day of the eighteenth month of that licensure ~~registration~~ period, the licensee shall be required to earn twenty-five total hours; if the certificate to practice is issued on or after the first day of the eighteenth month of a licensure ~~registration~~ period, the licensee shall not be required to earn any hours of CME credits for that licensure registration period.

(4) Only those hours earned from the date of initial licensure to the end of the licensure ~~registration~~ period shall be used towards the total hour requirement as contained in this rule.

(5) Completion of the CME requirement may be satisfied by courses acceptable for the individual to maintain NCCPA certification.

(J) To qualify for renewal of a physician assistant license with a valid prescriber number, the physician assistant shall comply with all of the following requirements:

- (1) Completion of the requirements in paragraph (I) of this rule;
- (2) Except as provided in paragraph (J)(4) of this rule, completion of at least twelve hours of category I continuing education in pharmacology as certified by the "Ohio Association of Physician Assistants," "Ohio State Medical Association," "Ohio Osteopathic Association," "Ohio Podiatric Medicine Association," or a continuing medical education provider accredited by the ACCME and approved by the board. Certification is a process whereby ACCME accredited providers define their respective continuing medical education program requirements for periodic submission to the board for approval. The board may approve each association's continuing medical education requirements which consist of continuing medical education category I courses and activities that are deemed acceptable for completing the requisite hours of continuing education in pharmacology by each licensee who has a valid prescriber number.
- (3) If the physician assistant prescribes opioid analgesics or benzodiazepines, the applicant shall certify having been granted access to OARRS, unless one of the exemptions in section 4730.49 of the Revised Code is applicable.
- (4) If the renewal of the license with a valid prescriber number is the first renewal after the holder has completed the five hundred hours of on site supervision required by section 4730.44 of the Revised Code, the requisite hours of pharmacology continuing education are as follows:
- (a) If the five hundred hours were completed prior to the first day of the second year of the licensure period, the licensee shall be required to earn six total hours of pharmacology continuing education;
- (b) If the five hundred hours were completed on or after the first day of second year of the licensure period and prior to the eighteenth month of that licensure period, the licensee shall be required to earn three total hours;
- (c) If the five hundred hours were completed on or after the first day of the eighteenth month of a licensure period, the licensee shall not be required to earn any hours of pharmacology continuing education for that licensure period.
- (K) A physician assistant who served on active duty in any of the armed forces, as that term is defined in rule 4730-1-06.1 of the Administrative Code, during the licensure period may apply for an extension of the continuing education period by meeting the requirements of rule 4730-1-06.1 of the Administrative Code.