

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

2141

2001 SENATE INDUSTRY, BUSINESS AND LABOR

SB 2141

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 2141

Senate Industry, Business and Labor Committee

Conference Committee

Hearing Date January 17, 2001

Tape Number	Side A	Side B	Meter #
1		x	3.9 to 27.9
Committee Clerk Signature <i>Douglas P. Peltz</i>			

Minutes:

The committee was called to order. All members present. The hearing was opened on SB 2141 relating to prescriptive authority of physician assistants.

ROLF P. SLETTEN, Executive Secretary and Treasurer, ND State Board of Medical Examiners, testimony in favor. Written testimony attached. The purpose of this bill is to allow physician assistants to qualify for DEA registration, it will not grant them broader prescribing authority than has been delegated by the supervising physician.

SENATOR D. MATHERN: Will the PA's name appear on the prescription?

R. SLETTEN: Yes.

SENATOR KREBSBACH: Authority from supervising physician written?

R. SLETTEN: Yes a contract filed with our office is required.

SENATOR ESPEGARD: Is the PA responsible for misprescription?

R. SLETTEN: No, rules say supervising physician is responsible for the acts of the PA. The supervising physician can impose more restrictive limitations than the law.

SENATOR MUTCH: What are the qualifications for a DEA license?

R. SLETTEN: To get a PA license ND requires certification by or registration with the National Association of Certification of PAs, they check all educational requirements and make sure they comply with the continued education requirements. They oversee all their qualifications.

SENATOR ESPEGARD: Would DEA registration become a requirement for PAs?

R. SLETTEN: No because some may be in an employment situation that does not require them to prescribe.

R. SLETTEN, Physician Assistant, President ND Association of Physician Assistants. In support of this bill. Written testimony attached.

SENATOR TOLLEFSON: This bill will require registration?

R. SLETTEN: Yes, if they want to prescribe controlled substances they must register.

DENISE LORENZ, PA, Hazen. Written testimony attached. In favor

HOWARD ANDERSON, Executive Director, ND Board of Pharmacists. In favor of this bill. As the law is now the physician has to sign the prescription. This will make it easier for the DEA to keep track of controlled substances and make PAs more directly responsible.

No testimony against. Hearing concluded.

SENATOR KLEIN: Motion: Do Pass. SENATOR D. MATHERN: Second

Roll call vote: 7 yes; 0 no; 0 absent. Carrier: SENATOR D. MATHERN.

Date: Jan 17/2001
Roll Call Vote #: 1

2001 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2141

Senate Senate Industry, Business and Labor Committee

Subcommittee on _____
or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass.

Motion Made By S Klein Seconded By S Mathern

Senators	Yes	No	Senators	Yes	No
Senator Mutch - Chairman	✓		Senator Every	✓	
Senator Klein - Vice Chairman	✓		Senator Mathern	✓	
Senator Espegard	✓				
Senator Krebsbach	✓				
Senator Tollefson	✓				

Total (Yes) 7 No 0

Absent 0

Floor Assignment S D Mathern

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE (410)
January 17, 2001 3:30 p.m.

Module No: SR-07-1147
Carrier: D. Mathern
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SB 2141: Industry, Business and Labor Committee (Sen. Mutch, Chairman) recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2141 was placed on the Eleventh order on the calendar.

2001 HOUSE INDUSTRY, BUSINESS AND LABOR

SB 2141

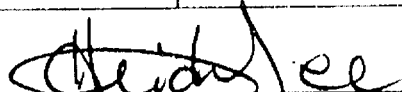
2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2141

House Industry, Business and Labor Committee

Conference Committee

Hearing Date Mar. 5, 2001

Tape Number	Side A	Side B	Meter #
1	X		0-25.5
Committee Clerk Signature 			

Minutes: Chairman R. Berg, Vice-Chair G. Keiser, Rep. M. Ekstrom, Rep. R. Froelich, Rep. G. Froseth, Rep. R. Jensen, Rep. N. Johnson, Rep. J. Kasper, Rep. M. Klein, Rep. Koppang, Rep. D. Lemieux, Rep. B. Pietsch, Rep. D. Ruby, Rep. D. Severson, Rep. E. Thorpe.

Rolf Sletten: Executive, Sec. and Tres. for State Med. Board **Written testimony sponsoring bill.**

Rep Froseth: What is schedules three and four?

Sletten: Schedule two is narcotics, so it's everything else.

Rep Keiser: How do they write prescriptions?

Sletten: The physician must authorize but signature currently. This is more convenient.

Chairman Berg: How does this change liability?

Sletten: It doesn't change liability because the PA is under the doctors supervision.

Chairman Berg: Does misuse by PA affect the doctor?

Sletten: No, unless misuse is together.

Chairman Berg: Are PA licensed by NDMA?

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House Industry, Business and Labor Committee

Bill/Resolution Number SB 2141

Hearing Date Mar. 5, 2001

Sletten: Yes.

Denise Lorenz: *President of ND Academy of PA's* **Written testimony in support of bill.**

Rep Ruby: What is the cost to register with the DEA?

Lorenz: The cost is \$210 every three years but not all PA's will need this.

Rep Forseth: What is the procedure?

Lorenz: It goes through council then a form is filled out.

Rep Koppang: How many PA's are there?

Lorenz: Currently there are 184.

David Pieske: *ND Med. Assoc.* We support this bill.

Chairman Berg: Prescriptions are driving healthcare, there needs to be more looking at side effects and how they would relate to patients history. Do you see this as a concern?

Pieske: We dealt with this in the Interim Committee and we do look at that

Howard Anderson: *Exec. Board of Pharmacy* Except for schedule two there is no direct tracking for perscriptions. Individual tracking is done but not state wide. This provides less work.

Chairman Berg: We'll close the hearing on SB 2141. What are the committees's wishes?

Rep Keiser: I move a do pass.

Rep M. Klein: I second.

12 yea, 0 nay, 3 absent Carrier Rep Ruby

Date: 3-5-01
Roll Call Vote #: 21

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB 2141

House Industry, Business and Labor Committee

Legislative Council Amendment Number _____

Action Taken Do Pass

Motion Made By Keiser Seconded By M. Klein

Representatives	Yes	No	Representatives	Yes	No
Chairman- Rick Berg	✓		Rep. Jim Kasper	✓	
Vice-Chairman George Keiser	✓		Rep. Matthew M. Klein	✓	
Rep. Mary Ekstorm	✓		Rep. Myron Koppang	✓	
Rep. Rod Froelich	✓		Rep. Doug Lemieux	✓	
Rep. Glen Froseth	✓		Rep. Bill Pietsch	✓	
Rep. Roxanne Jensen	✓		Rep. Dan Ruby	✓	
Rep. Nancy Johnson			Rep. Dale C. Severson	✓	
			Rep. Elwood Thorpe	✓	

Total (Yes) 12 No 0

Absent 3

Floor Assignment Rep Ruby

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE (410)
March 5, 2001 12:38 p.m.

Module No: HR-37-4815
Carrier: Ruby
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SB 2141: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends DO PASS (12 YEAS, 00 NAYS, 03 ABSENT AND NOT VOTING). SB 2141 was placed on the Fourteenth order on the calendar.

2001 TESTIMONY

SB 2141

**North Dakota State
Board of Medical Examiners**

ROLF P. SLETTEN
Executive Secretary and Treasurer

LYNETTE LEWIS
Administrative Assistant

**TO: CHAIRMAN MUTCH AND THE MEMBERS OF THE SENATE INDUSTRY,
BUSINESS AND LABOR COMMITTEE**

FROM: ROLF P. SLETTEN, EXECUTIVE SECRETARY & TREASURER

RE: SENATE BILL NO. 2141

DATE: JANUARY 17, 2001

The heart and soul of physician assistant practice in North Dakota is the close relationship between the physician assistant and the supervising physician. For example, our Administrative Rules specify that:

"It is the responsibility of the supervising physician to direct and review the work, records, and practice of the physician assistant on a daily, continuous basis to ensure that appropriate and safe treatment is rendered. The supervising physician must be available continuously for contact personally or by telephone or radio, and the supervision must include at least eight hours per week of on-site, personal supervision."

The rules also specify that:

"Physician assistants may perform only those duties and responsibilities that are delegated by their supervising physicians. No supervising physician may delegate to a physician assistant any duty or responsibility for which the physician assistant has not been adequately trained. Physician assistants are the agents of their supervising physicians in the performance of all practice-related activities. A physician assistant may provide patient care only in those areas of medical practice where the supervising physician provides patient care."

Under current law a physician assistant may prescribe medications (except Schedule II controlled substances) in the name of the supervising physician if the authority to do so has been assigned to the physician assistant by the supervising physician.

Under this proposal a PA may prescribe medications (except Schedule II controlled substances) in the PA's own name if the authority to do so has been delegated to the PA by the supervising physician.

The purpose of this bill is to allow PA's to qualify for DEA registration.

The specific language that is incorporated here has been drafted by the DEA.

The essential point is that, if this is passed into law, a PA will still not have any broader prescribing authority than has been delegated by the supervising physician.

