

Chapter 58

2022 Regular Session

Subject Physician Assistants

Bill H.F. 3989

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Overview

In Minnesota statutes, licensed health care providers are specifically given certain rights, duties, and protections and the authority to perform certain acts. This bill adds licensed physician assistants to many of those statutes, or gives the rights, duties, and authority in statutes to health care providers, including physician assistants.

A physician assistant is licensed by the Board of Medical Practice and certified by the National Commission on Certification of Physician Assistants. Physician assistants are authorized in statute (section 147A.09) to perform specified patient services under an established practice agreement.

The following table lists the statutory sections and subjects of the statutes amended in this bill. In each section, the bill adds “physician assistant,” “licensed physician assistant,” “physician assistant services,” and related terms to existing language that gives physicians and other health care providers certain rights, duties, and protections, or authority to perform certain acts. The bill also removes language related to physician assistants acting under the direction of a physician and makes technical and clarifying changes, including updating terminology to “advanced practice registered nurse” where applicable.

Summary

Section	Statute Amended	Description
1	13.83, subd. 2	Medical examiner or coroner public data on deceased individuals; certification of attendance
2	62A.15, adds subd. 3c	Insurance coverage of licensed health professional services; payment of benefits for physician assistant services

Section	Statute Amended	Description
3	62A.15, subd. 4	Insurance coverage of licensed health professional services; denial of benefits
4	62A.3091, subd. 2	Nondiscriminate insurance coverage of medical tests
5	62D.09, subd. 1	HMO marketing requirements
6	62E.06, subd. 1	Minimum benefits of qualified health insurance plans
7	62J.17, subd. 4a	Annual expenditure reporting to commissioner of health
8	62J.23, subd. 2	Antikickback restrictions
9	62Q.48	Ambulance transport reimbursement
10	62J.823, subd. 3	Written cost estimate for service or stay upon patient request
11	62Q.184, subd. 1	Step therapy override (definition of step therapy protocol)
12	62Q.57, subd. 1	Designation of primary care provider
13	62Q.73, subd. 7	External review of adverse health plan determination involving experimental or investigational treatment; health professional recommendation
14	62Q.733, subd. 3	Minnesota Health Plan Contracting Act; definition of health care provider or provider
15	62Q.74, subd. 1	Network shadow contracting; definition of health care provider or provider
16	62S.02, subd. 5	Long-term care coverage; chronically ill assessment
17	62S.08, subd. 3	Mandatory format outline for long-term care coverage
18	62S.20, subd. 5b	Required disclosure provisions for long-term care insurance policies; benefit triggers
19	62S.21, subd. 2	Long-term care insurance; prohibition against post-claims underwriting; medication information required
20	62S.268, subd. 1	Long-term care insurance; additional standards for benefit triggers; definition of licensed health care practitioner

Section	Statute Amended	Description
21	97B.055, subd. 3	Hunting from vehicle by disabled hunters; medical evidence of permanent physical disability
22	97B.106, subd. 1	Special crossbow permit; medical evidence of permanent or temporary disability
23	97B.1115	Special permit to use mechanical or electronic assistance to hold and discharge firearms or bows; medical evidence of physical disability
24	125A.02, subd. 1	Special education; professionals qualified to make diagnosis and determination of attention deficit disorder or attention deficit hyperactivity disorder for purposes of identifying a child with a disability
25	144.3345, subd. 1	Eligibility for interconnected electronic health records grants from commissioner of health; eligible health care entity definition
26	144.3352	Hepatitis B maternal carrier data
27	144.34	Reporting occupational diseases to the commissioner of health
28 30	– 144.441, subds. 4, 5; 144.442, subd. 1	Tuberculosis screening in schools and testing in school clinics
31 39	– 144.4803, subds. 1, 4, 10; 144.4806; 144.4807, subds. 1, 2, 4, 7	Tuberculosis health threat act
40	144.50, subd. 2	Health care setting not included in definition of hospital for purposes of licensure by commissioner of health
41	144.55, subd. 2	Health care setting not included in definition of outpatient surgical center for purposes of licensure by commissioner of health
42	144.55, subd. 6	Commissioner of health authorized to take action against facility license for certain conduct by facility employees
43	144.6501, subd. 7	Nursing home admission contract; consent to treatment

Section	Statute Amended	Description
44 – 52	144.651, subs. 7, 8, 9, 10, 12, 14, 31, 33; 144.652, subd. 2	Health care bill of rights for patients and residents of certain facilities; provider identity, relationship with other health services, information about treatment, participation in planning treatment, right to refuse care, freedom from maltreatment, isolation and restraints, exception to compliance with health care bill of rights in emergencies
53	144.69	Cancer surveillance system; classification of data on individuals
54 – 58	144.7402, subd. 2; 144.7406, subd. 2; 144.7407, subd. 2; 144.7414, subd. 2; 144.7415, subd. 2	Protocols that apply when emergency medical services personnel are exposed to a blood-borne pathogen
59	144.9502, subd. 4	Lead poisoning prevention act; content of blood lead analysis report
60 – 61	144.966, subs. 3, 6	Early hearing detection and intervention program operated by a hospital; program requirements, civil and criminal immunity
62	144A.135	Appeal of transfer or discharge of a resident of a nursing home or boarding care home
63 – 66	144A.161, subs. 5, 5a, 5e, 5g	Nursing home or boarding care home resident relocation requirements
67	144A.471, subd. 7	Comprehensive home care license provider services
68	144A.4791, subd. 13	Request for discontinuation of life-sustaining treatment
69 – 71	144A.75, subs. 3, 6; 144.752, subd. 1	Hospice provider licensing
72 – 73	144G.08, subd. 9; adding 52a	Assisted living licensure definitions
74	144G.79, subd. 7	Assisted living licensure; request for discontinuation of life-sustaining treatment
75	145.853, subd. 5	Uniform duties to disabled persons; duty of law enforcement officer

Section	Statute Amended	Description
76	145.892, subd. 3	Maternal and child nutrition act; definition of pregnant woman
77	145.94, subd. 2	Exposure to hazardous substances; disclosure of information
78	145B.13	Living wills; decision to administer, withdraw, or withhold medical treatment
79 – 83	145C.02; 145C.05, subd. 2; 145C.06; 145C.07, subd. 1; 145C.16	Health care directives
84	147.091, subd. 1	Physician grounds for disciplinary action; removing physician assistant supervision language
85	147A.27, subd. 1	Physician Assistant Advisory Council; removing physician assistant supervision language
86	148.6438, subd. 1	Occupational therapy; prior authorization
87	151.01, subd. 27	Practice of pharmacy definition; protocol or collaborative practice agreement
88	151.19, subd. 4	Licensure of certain health care providers to dispense drugs
89	151.21, subd. 4a	Pharmacy signage regarding substitution of prescribed drug with generic equivalent
90	151.37, subd. 2	Drug prescribing and filling; removing physician assistant direction and supervision language
91	151.37, subd. 12	Authorization to administer opiate antagonists for drug overdose
92	152.22, subd. 4	Medical cannabis; health care practitioner definition
93	152.32, subd. 3	Medical cannabis discrimination against patients prohibited
94	176.011, subd 12a	Workers' compensation; health care provider definition
95	245.50, subd. 5	Bordering states; civil commitment examiner and court examiner
96	245A.143, subd. 2	Family adult day services licensing; consultation by a health care professional definition

Section	Statute Amended	Description
97	245A.143, subd. 7	Family adult day services licensing; health services
98	245A.143, subd. 8	Family adult day services licensing; nutritional services
99	245A.1435	Reduction of risk of SIDS in DHS-licensed programs
100 – 101	245C.02, subd. 18; 245C.04, subd. 1	DHS background study requirements; definition of serious maltreatment, background studies for licensed programs
102 – 104	245D.02, subd. 11; 245D.22, subd. 7; 245D.25, subd. 2	Home and community-based services requirements; definition of incident, telephone and posted numbers, special dietary needs
105	245F.09, subd. 2	Withdrawal management program protective procedures plan
106 – 111	245G.08, subds. 2, 3, 5; 245G.21, subds. 2, 3	Substance use disorder licensed treatment facilities; procedures for medical intervention, standing order protocols, medication administration, visitors, client property management
112	245H.11	Reporting requirements for certified license-exempt child care centers
113 – 117	246.711, subd. 2; 246.715, subd. 2; 246.716, subd. 2; 246.721; 246.722	Blood-borne pathogen protocols for employees of a secure treatment facility exposed to a blood-borne pathogen
118	251.043, subd. 1	Care of persons with tuberculosis if persons are employees at certain facilities
119 – 121	252A.02, subd. 12; 252A.04, subd. 2; 252A.20, subd. 1	Protection of persons with developmental disabilities; definition of comprehensive evaluation, medication and treatment, witness and attorney fees
122 – 126	253B.02, subd. 9 253B.03, subd. 4; 253B.03, subd. 6d; 253B.06, subd. 2; 253B.23, subd. 4	Civil commitment; health officer definition; visit with personal health care provider or spiritual advisor, adult mental health treatment, physical examination of chemically-dependent persons, immunity
127	254A.08, subd. 2	Detoxification program requirements

Section	Statute Amended	Description
128 – 130	256.9685, subds. 1a, 1b, 1c	Inpatient hospital payment rates under MA; administrative reconsideration, appeal, judicial review
131 – 133	256.975, subds. 7a, 7b, 11	Board on aging: preadmission screening to Medicare-certified nursing facility, exemptions and emergency admissions, regional and local dementia grants
134	256B.055, subd. 12	MA eligibility for children with disabilities
135	256B.0575, subd. 1	MA long-term care income deductions
136	256B.0595, subd. 3	MA long-term care; homestead exception to transfer prohibition
137	256B.0622, subd. 2b	Assertive community treatment services; continuing stay and discharge criteria
138 – 144	256B.0625, subds. 2, 12, 17, 26, 28a, 49, 60a	MA covered services; coverage of skilled and intermediate nursing care, prosthetic and orthotic devices, transportation, special education services, physician assistant services, community health worker services, community medical response emergency medical technician services
145 – 149	256B.0659, subds. 2, 4, 8, 11, 27	Personal care assistance services; covered services, assessment for services, communication with recipient’s provider, personal care assistant requirements, personal care assistance provider agency
150	256B.0913, subd. 8	Alternative care program; requirements for coordinated service and support plan
151	256B.0947, subd. 3a	Intensive nonresidential rehabilitative mental health services required service components
152 – 154	256B.0949, subds. 4, 5, 5a	Early intensive developmental and behavioral intervention MA benefit; autism spectrum disorder diagnosis, comprehensive multidisciplinary evaluation, evaluation provider qualification
155	256B.73, subd. 5	Demonstration project for uninsured low-income persons; enrollee benefits
156	256P.01, subd. 6a	Economic assistance program eligibility and verification; qualified professional definition

Section	Statute Amended	Description
157	256R.44	Nursing facility rate adjustment for private room for medical necessity
158 – 159	256R.54, subds. 1, 2	Payment for and use of therapy services in a nursing facility, certification of appropriateness of treatment
160	257.63, subd. 3	Evidence relating to paternity of a child; medical privilege
161 – 164	257B.01, subds. 3, 9, 10; 257B.06, subd. 7	Standby custodian; definitions of attending APRN, debilitation, determination of incapacity; authority of custodian and designator’s restored capacity
165	259.24, subd. 2	Unmarried minor parent consent to adoption
166	260C.007, subd. 6	Child in need of protection or services definition
167	383A.13, subd. 3	Paramedic permitted acts
168	383A.13, subd. 6	Civil immunity for health care providers who give emergency instructions to certified paramedics
169	609.341, subd. 17	Sex crimes; definition of psychotherapist
170		Revisor instruction to change terms “certified nurse practitioner,” “nurse practitioner,” or similar terms to “advanced practice registered nurse” in statutes and rules.
171		Repeals section 147A.01, subd. 23 (supervising physician definition) and 151.37, subd. 2a (physician delegation of authority to physician assistants to prescribe, dispense, and administer legend drugs and medical devices)



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