



IDAHO STATE BOARD OF MEDICINE

THE REPORT

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The Supervising Physician

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The pace of change in the practice and administration of the medical profession is staggering in its complexity and scope. An aspect of medical care delivery and administration that is particularly interesting is the expanded use of care providers referred to as mid level providers. This includes physician assistants, nurse practitioners, nurse midwives and nurse anesthetists. A review of the roles and responsibilities of physicians who establish themselves as supervisors of physician assistants seems timely.

The authority of the state to regulate the practice of medicine in Idaho is established in law as the Medical Practice Act. Section 54-1807A describes the basic tenants of the supervisory role of physician assistants by physicians. This section describes licensure requirements and authority. Aspects of these rules that are important and interesting include the rule that the physician assistant may perform delegated medical services in any setting authorized by the supervising physician including clinics, hospitals, ambulatory surgical centers, patient's homes and nursing homes. The supervising physician and alternative supervising physician are responsible for all aspects of the performance of the physician assistant, and this is not specifically related to an employment relationship between the supervising physician and the physician assistant. It is the supervising physician's responsibility to ensure that the medical services performed by the physician assistant are within the physician assistant's scope of training and experience. A supervising physician cannot delegate to the physician assistant services that the supervising physician does not have the training or experience for. A physician assistant may independently own a medical practice after that physician assistant has been licensed for at least 2 years.

Section 54-1807A describes the organization that oversees the regulation of physician assistants as the Physician Assistant Advisory Committee, which serves under and makes recommendations to the Board of Medicine. This Committee consists of three licensed physician assistants with support from the administrative staff of the Board of Medicine.

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(The Supervising Physician continued)

The Committee reviews and makes recommendations to the Board regarding the licensure of physician assistant applicants, performing investigations of misconduct and disciplinary measures. It also advises the Board on rule changes and proposals in this ever changing medical environment. More specific information and rules regarding supervising of physician assistants are found in the Idaho Administrative Procedure Act (IDAPA), Section 22.01.04. This document lists specific rules and the dates of adoption of each rule. Supervising physicians are encouraged to review this entire document. It stipulates levels of engagement in the day-to-day medical practice of physician assistants.

Aspects of these rules that are interesting include that an on-site visit by the supervising physician should be performed at least monthly to personally observe the quality of care provided. Also, a periodic review of a representative sample of medical records to evaluate the medical services that are provided is necessary. Regularly scheduled conferences between the supervising physician and physician assistants are stipulated. It is also the responsibility of the supervising physician to report to the Board of Medicine all patient complaints received against a physician assistant which relate to the quality and nature of medical care or patient services rendered.

IDAPA 22.01.04 also defines the number of physician assistants that a supervising physician can supervise. Supervising physicians shall not supervise more than three physician assistants concurrently. In special situations, supervising physicians can ask for a waiver from the Board of Medicine to supervise a total of six physician assistants when this arrangement is necessary to provide adequate medical care within a care facility or to a certain population. This is most commonly implemented in areas of rural medical practice. The responsibilities and duties of a supervising physician cannot be transferred to a business entity or professional corporation and any transfer or assignment from one supervising physician to another has to have prior notification and approval of the Board of Medicine.

All aspects of state law referred to in this review are available on-line, and the administrative staff at the Idaho State Board of Medicine can answer more specific questions and direct inquirers to specific sources.

The Board Welcomes New Members

John B. Brown, MD, Kathleen Sutherland, MD, and Christopher Peine, DO, to the Board of Medicine

William Cone, MD, to the Committee on Professional Discipline

BOARD ACTIONS

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Details of disciplinary actions are available on the [Board of Medicine web site](#)

PLEASE NOTE

Some physicians have similar names, please verify information by license number on our web site.

Explanation of terms:

- Stipulation: an agreement, admission, or concession.
- Stipulation and Order: an agreement between the Board and the practitioner regarding authorization to practice or placing terms or conditions on the authorization to practice.
- Suspension: temporary withdrawal of authorization to practice.
- Reprimand: a formal admonishment of conduct or practice.
- Revocation: cancellation of the authorization to practice.

Richard Pines, DO
O-184 Boise, Idaho
Action-License Revoked

Jeffrey Hartford, MD
M-5269 Boise, Idaho
Action-Revocation Stayed, Probation

John Holley, MD
M-11371 McCall, Idaho
Action- Stipulation and Order

Kathleen Nielsen, PA
PA-411 Boise, Idaho
Action: Amended Stipulation and Order

Sandra Jackson, PSG
Psg-108 Idaho Falls, Idaho
Action-Reprimand

Donald Stonefeld, MD
M-3187 Wisconsin
Action; Reciprocal Discipline

Kent Walker,, DO
O-133 Oregon
Action- Reciprocal Order Terminated

Proposed Rule Changes

The Board of Medicine is proposing the following rule and statute changes:

IDAPA 22.01.03-Rules for the Licensure of Physician Assistants

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042. PRESCRIPTION WRITING.

01. Approval and Authorization Required. A physician assistant may issue written or oral prescriptions for legend drugs and controlled drugs, Schedule II through V only in accordance with approval and authorization granted by the Board and in accordance with the current delegation of services agreement and shall be consistent with the regular prescriptive practice of the supervising or alternate supervising physician. (4-9-09)

02. Application. A physician assistant who wishes to apply for prescription writing authority shall submit to the Board an application for such purpose on forms supplied by the Board. In addition to the information contained in the general application for physician assistant approval, the application for prescription writing authority shall include the following information: (3-16-04)

a. Documentation of all pharmacology course content completed, the length and whether a passing grade was achieved (at least thirty (30) hours). (7-1-93)

b. A statement of the frequency with which the supervising physician will review prescriptions written or issued. (3-16-04)

c. A signed affidavit from the supervising physician certifying that, in the opinion of the supervising physician, the physician assistant is qualified to prescribe the drugs for which the physician assistant is seeking approval and authorization. (3-16-04)

d. The physician assistant to be authorized to prescribe Schedule II through V drugs shall be registered with the Federal Drug Enforcement Administration and the Idaho Board of Pharmacy. (3-15-02)

03. Prescription Forms. Prescription forms used by the physician assistant must be printed with the name, address, and telephone number of the physician assistant and of the supervising physician. A physician assistant shall not write prescriptions or complete or issue prescription blanks previously signed by any physician. (3-16-04)

04. Record Keeping. The physician assistant shall maintain accurate records, accounting for all prescriptions issued and medication delivered. (3-16-04)

05. Pharmaceutical Samples. The physician assistant who has prescriptive authority may request, receive, sign for and distribute professional samples of drugs and devices in accordance with his current delegation of services agreement and consistent with the regular prescriptive practice of the supervising physician. (3-16-04)

06. Prescriber Drug Outlet. The physician assistant who has prescriptive authority may dispense prescriptive drugs or devices directly to patients under the direction of the supervising physician and in accordance with the Idaho State Board of Pharmacy's regulations for Prescriber Drug Outlets. ()

043. DELIVERY OF MEDICATION.

~~**01. Pre-Dispensed Medication.** The physician assistant may legally provide a patient with more than one (1) dose of a pre-dispensed medication upon obtaining formal prior approval from the Board. The pre-dispensed medications shall be provided for a limited period to be determined on the basis of individual circumstances.~~ (4-9-09)

~~**02. Consultant Pharmacist.** The physician assistant shall have a consultant pharmacist responsible for providing the physician assistant with pre-dispensed medication in accordance with federal and state statutes for packaging, labeling, and storage.~~ (3-19-99)

~~**03. Limitation of Items.** The pre-dispensed medication shall be limited to only those categories of drug identified in the delegation of services agreement and consistent with the regular prescriptive practice of the supervising physician, except a physician assistant may provide other necessary emergency medication to the patient as directed by a physician.~~ (4-9-09)

Proposed Changes Continued

IDAPA 22.01.13 Rules for the Licensure of Dietitians

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021. APPLICATION FOR LICENSURE.

01. Application. Each applicant for licensure shall submit a completed written application to the board on forms prescribed by the board, together with the application fee. The application shall be verified and under oath and shall require the following information: (12-28-94)

a. A certificate of successful completion of a program approved by the ~~American Dietetic Association~~ Academy of Nutrition and Dietetics or its successor and a certificate of successful completion of a dietetic internship or preprofessional program approved or accredited by the American Dietetic Association; (12-28-94)

b. The disclosure of any criminal conviction or charges against the applicant other than minor traffic offenses; (12-28-94)

c. The disclosure of any disciplinary action against the applicant by any state professional regulatory agency or professional organization; (12-28-94)

d. The disclosure of the denial of registration or licensure by any state or district regulatory body; (12-28-94)

e. Not less than two (2) certificates of recommendation from persons having personal knowledge of the applicant's character; (12-28-94)

f. Two (2) unmounted photographs of the applicant, no larger than three inches by four inches (3" x 4") (head and shoulders), taken not more than one (1) year prior to the date of the application; (12-28-94)

g. A copy of any registration by the Commission on Dietetic Registration, if applicable; (12-28-94)

h. A copy of examination results or the application to write the qualifying exam and the date the examination is scheduled; (4-2-03)

i. Such other information as deemed necessary for the Board to identify and evaluate the applicant's credentials; and (4-2-03)

j. A Provisional License Dietitian/Monitor Affidavit, if applicable. (4-2-03)

02. Personal Interview. The Board may, at its discretion, require the applicant to appear for a personal interview. (12-28-94)

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Idaho Code §54-1805

(b) All physician appointments to the board shall be for six (6) year terms. The physician members shall consist of six (6) members who are licensed to practice medicine and surgery in this state and one (1) member who is licensed to practice osteopathic medicine or osteopathic medicine and surgery in this state. Whenever a term of a member of the board who is licensed to practice medicine and surgery expires or becomes vacant, the Idaho medical association shall nominate three (3) persons licensed to practice medicine and surgery for each such vacancy, and forward such nominations to the governor who shall appoint from among such nominees, one (1) person to be a member of the board to fill such vacancy. Whenever a term of the member of the board who is licensed to practice osteopathic medicine or osteopathic medicine and surgery expires or becomes vacant, the Idaho osteopathic association shall nominate three (3) persons licensed to practice osteopathic medicine or osteopathic medicine and surgery for such vacancy, and shall forward the nominations to the governor who shall appoint from among such nominees one (1) person to be a member of the board to fill such vacancy. Members of the board shall hold office until expiration of their term to which the member appointed and until his successor has been duly appointed and qualified.

(c) All public members shall be appointed by the governor for three (3) year terms. Public members must reside in the state and be persons of integrity and good reputation who have lived in this state for at least five (5) years immediately preceding their appointment, who have never been authorized to practice a healing art, and who have never had a substantial personal, business, professional, or pecuniary connection with a healing art or with a medical education or health care facility, except as patients or potential patients. Public members of the board shall hold office until the expiration of their term to which the member appointed and until his successor has been duly appointed and qualified.



REMINDERS

Controlled Substances

The cheapest and fastest method to insure safe prescribing of controlled substance is to look at the pharmacy profile PMP (Prescription Monitoring Program) before prescribing for a first time patient. The benefits are:

- Identify other medication the patient may be receiving from other providers
- A check of your DEA number
- Identify potential interactions

Checking the profile occasionally on long term patients insures continued patient safety.

It is quick, simple and you may designate a staff member to obtain profiles for you. Need help or information on registering? Contact the Board of Pharmacy or email pmp@bop.idaho.gov.

Unlicensed Practice

Thinking of hiring an athletic trainer, respiratory therapist, or polysomnographer? Make sure that your applicant is licensed or registered in the state prior to offering the position. Check the [Idaho Board of Medicine](http://www.idaho.gov/boards/medicine) web site for licensure information.

New Requirements for Medical Examiners

As a result of upcoming requirements enacted by the Federal Motor Carrier Safety Administration (FMCSA), Idaho medical examiners who perform DOT medical exams and issue DOT medical certificates will need to obtain certification through FMCSA by May 20, 2014 if they wish to continue performing such exams. For information visit the web site <https://nrcme.fmcsa.dot.gov/>

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Please note if you are submitting a response to a Board inquiry or a completed application, the completed material must be received in the Board office at least 20 days before the scheduled meeting date. Materials not received in that time frame will be added to the next regularly scheduled meeting agenda.

Board meetings are posted on the [Idaho Board of Medicine web site](#)

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