

# KANSAS BOARD OF HEALING ARTS

LAWRENCE T. BUENING, JR.  
EXECUTIVE DIRECTOR



KATHLEEN SEBELIUS, GOVERNOR

## MEMO

**TO:** House Committee on Health and Human Services

**FROM:** Lawrence T. Buening, Jr.  
Executive Director

**DATE:** February 18, 2004

**RE:** **House Bill No. 2770**

Thank you for the opportunity to appear before you on behalf of the State Board of Healing Arts in support of House Bill No. 2770. The only substantive change to the laws pertaining to physician assistants is in Section 6 at page 6, lines 40-43. The current law states that no responsible physician can have more than two physician assistants under their direction and supervision. The proposed change would allow the Board to limit by rules and regulations the number of physician of physician assistants a responsible physician may supervise at any one time. The remaining sections of the bill merely delete the apostrophe "s" in the title used by physician assistants which was deleted in the physician assistant laws when those were amended effective February 1, 2001.

The provisions of Section 6 have been reviewed and approved by the Physician Assistant Council and the Board's Legislative Committee. Further, the Board as a whole considered and approved this amendment at its meeting January 31, 2004. There have been instances brought to the Board's attention in which a physician assistant works only one or two days a week or only portions of a day. However, the current statutory language has prevented the responsible physician from having more than two physician assistants under their direction and supervision even though only one physician assistant may be working under the responsible physician at any point in time. The Board believes that a regulation can be adopted that will provide more flexibility than the current statutory language, but still provide assurance that adequate and appropriate supervision will be provided.

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K.S.A. 65-2836(bb) makes it a violation of the healing arts act for a licensee who is the responsible physician for a physician assistant to fail to adequately direct and supervise the physician assistant in accordance with the physician assistant licensure act or rules and regulations adopted under such act. You will also note that in Section 5 of the bill, K.S.A. 65-28,127 imposes a number of requirements on physicians who serve as a responsible physician for a physician assistant. These statutory requirements are unaffected by the change being proposed in Section 6 and will continue to remain in effect should H.B. No. 2770 be enacted.

Thank you for the opportunity to provide testimony in support of this bill.