



Proposed new rule 4730-1-08: Physician assistant delegation of medical tasks and administration of drugs.

1. Current rule 4730-1-08 (Special services plans) will be rescinded. It will be replaced with new rule 4730-1-08: Physician assistant delegation of medical tasks and administration of drugs.
2. The new rule is based on the rules regulating physician delegation of medical tasks. Those rules are 4731-23-01, 4731-23-02, 4731-23-03, and 4731-23-04, Ohio Administrative Code.
3. The definition of “task” at proposed rule 4730-1-08 differs from the definition of “task” in Rule 4731-23-01, the definition applicable to physician delegation. The definition of “task” in Rule 4731-23-01 is not very explanative and includes the administration of drugs. The proposed definition of “task” in rule 4730-1-08 is more explanative and does not specifically mention the administration of drugs because Section 4730.203 of the Revised Code has two different actions: (1) the delegation of medical tasks and (2) the delegation of the administration of drugs.
4. The proposed rule reflects the provisions of Section 4730.203 of the Revised Code, including the limitations on delegation provided in that section.

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Physician assistant delegation of medical tasks and administration of drugs.

(A) As used in this rule:

- (1) "Administer" means the direct application of a drug, whether by injection, inhalation, ingestion, or any other means to a person.
- (2) "Delegate" means to transfer authority for the performance of a medical task or drug administration to an unlicensed person.
- (3) "On-site supervision" means that the physical presence of the physician assistant is required in the same location (for example, the medical practice office suite) as the unlicensed person to whom the medical task or drug administration has been delegated while the medical task or drug administration is being performed. On-site supervision does not require the physician assistant's presence in the same room.
- (4) "Physician" means an individual authorized by Chapter 4731. of the Revised Code to practice medicine and surgery, osteopathic medicine and surgery, or podiatric medicine and surgery.
- (5) "Task" means a routine, medical service not requiring the special skills of a licensed provider.
- (6) "Unlicensed person" means an individual who is not licensed or otherwise specifically authorized by the Revised Code to perform the delegated medical task or drug administration.
- (7) "Drug" means the same as in section 4729.01(E) of the Revised Code.
- (8) "Supervision agreement" means the document signed by the supervising physician and physician assistant in compliance with section 4730.19 of the Revised Code.

(B) When acting pursuant to a supervision agreement, a physician assistant may delegate the performance of a medical task or, under the conditions specified in section 4730.203 of the Revised Code, the administration of a drug to an unlicensed person.

- (1) The physician assistant shall comply with all of the requirements of section 4730.203 of the Revised Code and this rule when delegating a medical task or the administration of a drug.
- (2) A physician assistant shall not authorize or permit an unlicensed person to whom a medical task or the administration of a drug is delegated to further delegate the performance of the task or administration to third person.

(3) The physician assistant shall provide on-site supervision of the unlicensed person to whom the medical task or administration of a drug is delegated.

(C) Prior to the delegation of the performance of a medical task or the administration of a drug, the physician assistant shall ensure that each of the following requirements is met:

(1) That the supervision agreement and any applicable healthcare facility policies authorize the physician assistant to delegate the performance of a medical task or the administration of a drug;

(2) That the task or administration of the drug is within that physician assistant's practice authority;

(3) That the task or administration of the drug is indicated for the patient;

(4) That no law prohibits the delegation;

(5) That the unlicensed person to whom the task or drug administration will be delegated is competent to perform that service;

(6) That the task or drug administration itself is one that should be appropriately delegated when considering the following factors:

(a) That the task or drug administration can be performed without requiring the exercise of judgment based on medical knowledge;

(b) That results of the task or drug administration are reasonably predictable;

(c) That the task or drug administration can safely be performed according to exact, unchanging directions;

(d) That the task or drug administration can be performed without a need for complex observations or critical decisions;

(e) That the task or drug administration can be performed without repeated medical assessments;

(f) That the task or drug administration, if performed improperly, would not present life threatening consequences or the danger of immediate and serious harm to the patient; and

(7) That the delegation of the administration of a drug is in compliance with paragraph (D) of this rule.

(D) In addition to the requirements of paragraph (C) of this rule, prior to delegating the

administration of a drug, the physician assistant shall ensure that all of the following requirements are met:

- (1) The physician assistant holds a current license with a valid prescriber number issued under section 4730.11 of the Revised Code and has been granted physician-delegated prescriptive authority by the supervising physician.
- (2) The drug is included in the formulary established under division (A) of section 4730.39 of the Revised Code;
- (3) The drug is not a controlled substance;
- (4) The drug will not be administered intravenously;
- (5) The drug is not an anesthesia agent; and
- (6) The drug will not be administered in any of the following locations:
 - (a) A hospital inpatient care unit, as defined in section 3727.50 of the Revised Code;
 - (b) A hospital emergency department;
 - (c) A freestanding emergency department; or
 - (d) An ambulatory surgical facility licensed under section 3702.30 of the Revised Code.

(E) Violations of this rule.

- (1) A violation of any provision of this rule, as determined by the board, shall constitute "a departure from, or the failure to conform to, minimal standards of care of similar physician assistants under the same or similar circumstances regardless of whether actual injury to a patient is established," as that clause is used in division (B)(19) of section 4730.25 of the Revised Code.
- (2) A violation of any provision of this rule, as determined by the board, shall constitute "violating or attempting to violate, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate, any provision of this chapter, Chapter 4731. of the Revised Code, or the rules of the board," as that clause is used in division (B)(3) of section 4730.25 of the Revised Code.
- (3) A violation of any provision of this rule that pertains to the administration of drugs, as determined by the board, shall constitute "administering drugs for purposes other than those authorized under this chapter" as that clause is used

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[in division \(B\)\(6\) of section 4730.25 of the Revised Code.](#)