

24 § 17. Section 6542 of the education law, as amended by chapter 48 of  
25 the laws of 2012, subdivisions 3 and 5 as amended by section 1 of part T  
26 of chapter 57 of the laws of 2013, is amended to read as follows:

27 § 6542. Performance of medical services. 1. Notwithstanding any other  
28 provision of law, a physician assistant may perform medical services,

1 but only when under the supervision of a physician and only when such  
2 acts and duties as are assigned to him or her are within the scope of  
3 practice of such supervising physician unless otherwise permitted by  
4 this section.

5 1-a. A physician assistant may practice without the supervision of a  
6 physician under the following circumstances:

7 a. Where the physician assistant, licensed under section sixty-five  
8 hundred forty-one of this article has practiced for more than eight  
9 thousand hours and:

10 (i) is practicing in primary care. For purposes of this paragraph,  
11 "primary care" shall mean non-surgical care in the fields of general  
12 pediatrics, general adult medicine, general geriatric medicine, general  
13 internal medicine, obstetrics and gynecology, family medicine, or such  
14 other related areas as determined by the commissioner of health; or

15 (ii) is employed by a health system or hospital established under  
16 article twenty-eight of the public health law, and the health system or  
17 hospital determines the physician assistant meets the qualifications of  
18 the medical staff bylaws and the health system or hospital gives the  
19 physician assistant privileges;

20 b. Where a physician assistant licensed under section sixty-five  
21 hundred forty-one of this article has completed a program approved by  
22 the department of health, in consultation with the department, when such  
23 services are performed within the scope of such program.

24 c. The department and the department of health are authorized to  
25 promulgate and update regulations pursuant to this section.

26 2. [Supervision] Where supervision is required by this section, it  
27 shall be continuous but shall not be construed as necessarily requiring

1 the physical presence of the supervising physician at the time and place  
2 where such services are performed.

3 3. [No physician shall employ or supervise more than four physician  
4 assistants in his or her private practice.

5 4.] Nothing in this article shall prohibit a hospital from employing  
6 physician assistants provided they [work under the supervision of a  
7 physician designated by the hospital and not beyond the scope of prac-  
8 tice of such physician. The numerical limitation of subdivision three of  
9 this section shall not apply to services performed in a hospital.

10 5. Notwithstanding any other provision of this article, nothing shall  
11 prohibit a physician employed by or rendering services to the department  
12 of corrections and community supervision under contract from supervising  
13 no more than six physician assistants in his or her practice for the  
14 department of corrections and community supervision.

15 6. Notwithstanding any other provision of law, a trainee in an  
16 approved program may perform medical services when such services are  
17 performed within the scope of such program.] meet the qualifications of  
18 the medical staff bylaws and are given privileges and otherwise meet the  
19 requirements of this section.

20 4. A physician assistant shall be authorized to prescribe, dispense,  
21 order, administer, or procure items necessary to commence or complete a  
22 course of therapy.

23 5. A physician assistant may prescribe and order a patient specific  
24 order or non-patient specific regimen to a licensed pharmacist or regis-  
25 tered professional nurse, pursuant to regulations promulgated by the  
26 commissioner of health, and consistent with the public health law, for  
27 administering immunizations. Nothing in this subdivision shall authorize  
28 unlicensed persons to administer immunizations, vaccines or other drugs.

1 6. Where a physician assistant licensed under section sixty-five  
2 hundred forty-one of this article has completed a program approved by  
3 the department of health, in consultation with the department, when such  
4 services are performed within the scope of such program.

5 7. Nothing in this article, or in article thirty-seven of the public  
6 health law, shall be construed to authorize physician assistants to  
7 perform those specific functions and duties specifically delegated by  
8 law to those persons licensed as allied health professionals under the  
9 public health law or this chapter.

10 § 18. Subdivision 1 of section 3701 of the public health law, as  
11 amended by chapter 48 of the laws of 2012, is amended to read as  
12 follows:

13 1. to promulgate regulations defining and restricting the duties  
14 [which may be assigned to] of physician assistants [by their supervising  
15 physician, the degree of supervision required and the manner in which  
16 such duties may be performed] consistent with section sixty-five hundred  
17 forty-two of the education law.;

18 § 19. Section 3702 of the public health law, as amended by chapter 48  
19 of the laws of 2012, is amended to read as follows:

20 § 3702. Special provisions. 1. Inpatient medical orders. A licensed  
21 physician assistant employed or extended privileges by a hospital may,  
22 if permissible under the bylaws, rules and regulations of the hospital,  
23 write medical orders, including those for controlled substances and  
24 durable medical equipment, for inpatients [under the care of the physi-  
25 cian responsible for his or her supervision. Countersignature of such  
26 orders may be required if deemed necessary and appropriate by the super-  
27 vising physician or the hospital, but in no event shall countersignature  
28 be required prior to execution].

1 2. Withdrawing blood. A licensed physician assistant or certified  
2 nurse practitioner acting within his or her lawful scope of practice may  
3 supervise and direct the withdrawal of blood for the purpose of deter-  
4 mining the alcoholic or drug content therein under subparagraph one of  
5 paragraph (a) of subdivision four of section eleven hundred ninety-four  
6 of the vehicle and traffic law, notwithstanding any provision to the  
7 contrary in clause (ii) of such subparagraph.

8 3. Prescriptions for controlled substances. A licensed physician  
9 assistant, in good faith and acting within his or her lawful scope of  
10 practice, and to the extent assigned by his or her supervising physician  
11 as applicable by section sixty-five hundred forty-two of the education  
12 law, may prescribe controlled substances as a practitioner under article  
13 thirty-three of this chapter, to patients under the care of such physi-  
14 cian responsible for his or her supervision. The commissioner, in  
15 consultation with the commissioner of education, may promulgate such  
16 regulations as are necessary to carry out the purposes of this section.

17 § 20. Section 3703 of the public health law, as amended by chapter 48  
18 of the laws of 2012, is amended to read as follows:

19 § 3703. Statutory construction. A physician assistant may perform any  
20 function in conjunction with a medical service lawfully performed by the  
21 physician assistant, in any health care setting, that a statute author-  
22 izes or directs a physician to perform and that is appropriate to the  
23 education, training and experience of the licensed physician assistant  
24 and within the ordinary practice of the supervising physician, as appli-  
25 cable pursuant to section sixty-five hundred forty-two of the education  
26 law. This section shall not be construed to increase or decrease the  
27 lawful scope of practice of a physician assistant under the education  
28 law.

1 § 21. Paragraph a of subdivision 2 of section 902 of the education  
2 law, as amended by chapter 376 of the laws of 2015, is amended to read  
3 as follows:

4 a. The board of education, and the trustee or board of trustees of  
5 each school district, shall employ, at a compensation to be agreed upon  
6 by the parties, a qualified physician, a physician assistant, or a nurse  
7 practitioner to the extent authorized by the nurse practice act and  
8 consistent with subdivision three of section six thousand nine hundred  
9 two of this chapter, to perform the duties of the director of school  
10 health services, including any duties conferred on the school physician  
11 or school medical inspector under any provision of law, to perform and  
12 coordinate the provision of health services in the public schools and to  
13 provide health appraisals of students attending the public schools in  
14 the city or district. The physicians, physicians assistants or nurse  
15 practitioners so employed shall be duly licensed pursuant to applicable  
16 law.