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Pennsylvania MEDICAL SOCIETY®

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INDEPENDENT REGULATORY
REVIEW COMMISSION

November 14, 2007

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Beth Michlovitz, Board Counsel
State Board of Osteopathic Medicine
P.O. Box 2649
Harrisburg, PA 17105-2649

RE: Prescriptive Privileges for Physician Assistants
Proposed Regulations

Dear Ms. Michlovitz,

The Pennsylvania Medical Society strongly supports the proposed changes to the physician assistant (PA) regulations by the State Board of Osteopathic Medicine which make them similar to those promulgated by the State Board of Medicine. The Society worked closely with the Pennsylvania Society of Physician Assistants in crafting the changes to the medical board regulations and asks that the osteopathic board move to approve the proposed regulations with minor modifications.

The Medical Society receives numerous inquiries from group practices that employ both medical doctors (MDs) and doctors of osteopathy (DOs), specifically regarding the supervisory and prescribing requirements of PAs for MDs and DOs. Therefore, we would like to address several concerns regarding the proposed osteopathic regulations. As written they continue to obfuscate what a PA is allowed do in a DO's office and in an office with an MD/DO mix.

For example, under Section 25.177(a)(3) "A physician assistant may write a prescription for a Schedule II controlled substance for up to a 30-day supply *if the patient was examined at the time of renewal and the patient's ongoing therapy was reviewed and approved by the supervising physician prior to the writing of the renewal.*" There is no explanation as to who must examine the patient or what the examination would entail. Also the review and approval process by the supervising physician seems overly burdensome. The Medical Society recommends that the italicized language be removed to provide consistency with the medical board regulations.

The other concern lies with the signing of medical records (§ 25.177 (d)(4) and § 25.178 Medical Records), specifically the requirement for the supervising physician to sign the records weekly. The MD regulations state that the "supervising physician shall countersign the patient record within 10 days." The Society recommends that the countersignature requirement in the proposed osteopathic regulations be extended by three days to provide consistency with the medical board requirements and clarity in the MD/DO practices.

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The Pennsylvania Medical Society strongly urges the State Board of Osteopathic Medicine to consider these issues prior to the publication of the regulation as final. If there are any questions or concerns regarding these comments, please contact either Don McCoy (909-2649) or Catherine Wilson (909-2645) at the Medical Society.

Sincerely,



Peter S. Lund, MD, FACS
President

Cc: Honorable Robert M. Tomlinson, Chair
Senate Consumer Protection and Professional Licensure Committee
Honorable P. Michael Sturla, Chair
House Professional Licensure Committee
Arthur Coccodrilli, Chairman
Independent Regulatory Review Commission
Mario Lanni, Executive Director
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Pennsylvania Society of Physician Assistants