



Alaska Academy of Physician Assistants
2804 W Northern Lights Blvd
Anchorage, AK 99517

March 24, 2020

Governor Michael Dunleavy
PO Box 110001
Juneau, AK 99811

Dear Governor Dunleavy,

The Alaska Academy of Physician Assistants (AKAPA) would like to thank you for your leadership during this public health crisis. We are grateful for your responsiveness and are writing to suggest a vital amendment to pending legislation, Senate Bill 241.

Senate Bill 241 proposes the need to waiver licensing restrictions that could delay care during a time of crisis. The language in this legislation is ambiguous and does not specifically mention physician assistants (PAs) by name, nor does it delineate to what extent PAs can provide emergency care during a time of crisis.

PAs work in every specialty and medical setting in Alaska. They diagnose illness, develop and manage treatment plans, prescribe medications, and often serve as a patient's principal healthcare provider. With thousands of hours of medical training, PAs are versatile, collaborative, and integrated into every aspect of the Alaska medical system.

In short, PAs are vital resources in the current emergency response. It is critical to write legislation that specifically reinforces the PA role in times of crisis to ensure timely and safe access to care for all Alaskans.

Currently, sixteen states have waived physician supervision requirements for PAs either in recent executive orders or in previous emergency and natural disaster legislation. Recent executive orders issued by the Governor to suspend supervision requirements include New York and Tennessee. Additional states have submitted requests to their state leaders seeking suspension of supervision requirements in recent days.

During these urgent times, PAs need to adapt quickly to the community's needs. As it appears in its present form, the language in Senate Bill 241 is ambiguous and its interpretation could delay PA's ability to respond and provide emergency care alongside our healthcare colleagues.

The following language is recommended by AKAPA:

Waiver of Requirements Contained in the State's Physician Assistant (PA) Practice Act Related to Physician Supervision of or Collaboration with PAs



Provision of medical care:

A physician assistant (PA) who is licensed in this state [U.S. territory or jurisdiction], or a PA licensed by a federal employer, who is responding to a need for medical care created by a public health emergency, natural disaster or bioterrorist attack or other catastrophic event), may render such care that they are able to provide without physician supervision or collaboration as it is defined in state statute governing PA practice, provided that the treatment is within the scope of the PA's education, training and experience. This waiver includes, but is not limited to, the ability of PAs to order, supervise and interpret all diagnostic tests and to provide medical services via telemedicine with PAs as the distant site consultant.

Release of liability:

No PA licensed in this state [territory or jurisdiction], or credentialed as a PA by a federal employer, who voluntarily and gratuitously, and other than in the ordinary course of employment or practice, renders emergency medical assistance shall not be liable for civil damages for any personal injuries that result from acts or omissions by those persons in rendering emergency care, which may constitute ordinary negligence. The immunity granted by this Order [or this Section] shall not apply to acts or omissions constituting gross, willful or wanton negligence, or when the medical assistance is rendered at any hospital, physician's office or other healthcare delivery entity where those services are normally rendered.

Many states have coordinated this direct language into their own guidelines for emergency management to prevent care delay.

One example is with Arizona 32-2535:

<https://www.azleg.gov/viewdocument/?docName=http://www.azleg.gov/ars/32/02535.htm>

AKAPA also recommends future legislation reflect these amendments to provide for continuity of care in future medical crises.

Thank you for recognizing the contribution of PAs throughout our state delivering patient centered care in both underserved remote and urban settings. Our intention here is to be positioned to respond quickly, efficiently and collegially during times of crisis to improve patient outcomes in the communities we serve.

Thank you for your consideration,

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et al.



CC: Adam Crum, DHSS Commissioner
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