



Agenda:

- President welcome message
- Representative Rachel Prusak
- OSPA Leadership introduction
- Slide Show on history/implementation of HB 3036
- Q&A session

PLEASE KEEP MICROPHONE ON MUTE UNTIL CALLED ON DURING Q&A SESSION

THANK YOU!

History of HB3036

- **Optimal Team Practice : Policy passed by AAPA HOD in May 2017.**
- **Oregon leadership began planning for an Oregon version of OTP**
 - **Sought input from stakeholders including:**
 - PA's
 - Physicians (OMA, and other Physician groups)
 - Oregon Medical Board
 - Large Employers

Modernizing PA Laws and Regulations

Full prescriptive authority

Adaptable collaboration requirements

“Licensure” as the regulatory term

**Number of PAs a physician may practice with
determined at the practice level**

Scope of practice determined at the practice level

**Cosignature requirements determined
at the practice level**

**AAPA’s
Six Key
Elements of
a Modern PA
Practice Act**

OTP in Oregon

- **2017/2018: Sent OTP surveys (2) to membership to get input on what pieces of OTP Oregon PA wants to implement**
- **2019 long legislative session**
 - Submitted plan for bill writing
 - Language did not represent Oregon goals
 - OSPA pulled bill due to lack of time and support from Stakeholders

OTP in Oregon

- **2020 short legislative session**
 - Improved bill submitted
 - Good legislative and stakeholder support
 - Derailed due to legislator walkout
- **2021 long legislative Session**
 - OSPA leadership met with stakeholders throughout the year in order to identify concerns and opportunities to build support.
 - HB 3036 passed with overwhelming support in both the House and the Senate!
- **2021-2022 Rulemaking**

Licensure

- Maintains PA licensure through the Oregon Medical Board (OMB), and PA membership on the OMB.
- Maintains the requirement that all PAs successfully graduate from an ARC-PA accredited educational program and pass the NCCPA National Certification Examination in order to be eligible for Oregon licensure.

Supervision/ Collaboration

- Requires that PAs **collaborate** with, consult with and/or refer to the appropriate member(s) of the healthcare team as indicated by the patient's condition; the education, experience and competencies of the PA; and the standard of care.
- Maintains collaboration between a physician and PA with >2000 hours of experience.
- Requires supervision for new graduates with less <2000 hours of experience.
- The degree of collaboration is determined at the practice level; which may include decisions made by the employer, group, hospital service and the credentialing and privileging systems of licensed facilities.
- PAs are responsible for the care they provide. Physicians are responsible for adequate and appropriate collaboration and are no longer legally responsible for a PA's work unless the PA is acting under specific instructions from the physician.



Supervision/ Collaboration

- Adds PA's to the Telemedicine License rules.
- Eliminates prescriptive supervision requirements from statute and places management decisions with the employer. This puts regulation of PA practice in line with that of NPs and physicians.
- Nothing in the new law will prohibit employers from continuing to hire and manage PAs in whatever manner they deem necessary to ensure patient safety.

Implementation

- Shift from Supervision to Collaboration
 - Anyone can shift to Collaboration agreement now
 - **MUST** shift by 12/31/2023 - next license renewal date
- PAs may have more than one Collaborative Agreement

Definitions

- **Defines Collaboration**
 - “Collaboration” has the meaning given in ORS 677.495, as indicated by the patient’s condition, community standards of care and a physician assistant’s education, training and experience:
 - Includes Consultation between a PA/Physician and Referral between PA/Physician
- **Defines Collaboration Agreement**
 - a written agreement that describes the manner in which the physician assistant collaborates with physicians, that does not assign supervisory responsibility to, or represent acceptance of legal responsibility by, a physician for the care provided by the physician assistant and that is signed by the physician assistant and the physician or physician assistant’s employer.

Definitions

- **Defines “Community Standard of Care”**
 - **which is that degree of care, skill, and diligence that is used by ordinarily careful licensees in the same or similar circumstances in the licensee’s community or a similar community.**



SAMPLE COLLABORATION AGREEMENT TEMPLATE

Revised 7/2022

Per ORS 677.495, a collaboration agreement is a written agreement that describes the manner in which the physician assistant collaborates with physicians (MD/DO/DPM), that does not assign supervisory responsibility to, or represent acceptance of legal responsibility by, a physician for the care provided by the physician assistant and that is signed by the physician assistant and the physician or physician assistant's employer.

Collaboration means, as indicated by the patient's condition, community standards of care and a physician assistant's education, training and experience: (a) Consultation between the physician assistant and a physician; or (b) Referral by the physician assistant to a physician. Community standards of care means that degree of care, skill, and diligence that is used by ordinarily careful licensees in the same or similar circumstances in the licensee's community or a similar community.

Beginning date for Collaboration Agreement (mm/dd/yyyy): _____

Physician Assistant Information:

Last Name	First Name	Middle Initial	Oregon License Number
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Primary Practice Location Name	Primary Practice Street Address, City, State, and Zip Code
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Business Email	Business Phone
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Employer Representative or Physician (MD/DO/DPM) Information:

Last Name	First Name	Middle Initial	Oregon License Number <i>If applicable</i>
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COLLABORATION

A general description of the physician assistant's process for collaboration with physicians (MD/DO/DPM) and if applicable, include any differences in the process for collaboration based on practice location. The description may also include additional requirements specific to the physician assistant's practice, including additional levels of oversight, limitations on autonomous judgment, and designating a primary contact for collaboration:

Does the physician assistant have at least 2,000 hours of post-graduate clinical experience?

"Post-graduate clinical experience" means professional practice as a physician assistant applying principles and methods to provide assessment, diagnosis, and treatment of patients.

- Yes, the physician assistant must provide evidence of post-graduate clinical experience to the physician or employer entering the collaboration agreement. The physician or employer is responsible for determining the physician assistant meets the 2,000 hour requirement and does not require a Specified Collaboration Plan.
- No, include Attachment A: Specified Collaboration Plan (see page 4)

ASSESSMENT & REVIEW

The performance assessment and review process:

AGREEMENT REQUIREMENTS

- A collaboration agreement must be replaced or amended in writing to add, remove, or change requirements.
- The collaboration agreement must be available at the physician assistant's primary location of practice and made available to the Oregon Medical Board upon request.
- The physician assistant must be provided a copy of the collaboration agreement and any amendments.
- The physician assistant and the physician or employer with whom the physician assistant has entered into the collaboration agreement is responsible for upholding the terms of the collaboration agreement and ensuring availability for collaboration.
- [ORS 677.495 to 677.535](#) and [OAR 847 chapter 50](#) provides the requirements for physician assistant practice in Oregon.

SIGNATURES

Signature of Employer Representative or Physician: _____

Name of Employer Representative or Physician: _____ Date: _____

Title of Employer Representative or Physician: _____

Attachment A: Specified Collaboration Plan

If the physician assistant has fewer than 2,000 hours of post-graduate clinical experience, a plan for consistent and quality collaboration with a specified physician (MD, DO, DPM) on a regular basis. Collaboration with a specified physician may occur in person and through synchronous and asynchronous technology.

A collaboration agreement must be amended in writing to remove or modify a Specified Collaboration Plan.

Physician Assistant Information:

Last Name	First Name	Middle Initial	Oregon License Number
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Physician (MD/DO/DPM) Information:

Last Name	First Name	Middle Initial	Oregon License Number <i>If applicable</i>
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Description of specified collaboration:



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