NORTH CAROLINA MEDICAL BOARD ORDER REGARDING THE REASSIGNMENT OF PHYSICIAN ASSISTANTS TO A NEW PRACTICE AREA TO MEET CRITICAL NEEDS DURING THE COVID-19 EMERGENCY

WHEREAS, COVID-19 is a respiratory disease that can result in serious illness or death by the SARS-CoV-2 virus, which is a new strain of coronavirus previously unidentified in humans and which can spread from person-to-person; and

WHEREAS, the World Health Organization declared COVID–19 a Public Health Emergency of International Concern on January 30, 2020; and

WHEREAS, on January 31, 2020, the United States Department of Health and Human Services Secretary declared a public health emergency in the United States for COVID-19 under Section 319 of the Public Health Service Act; and

WHEREAS, by Executive Order No. 116 on March 10, 2020, North Carolina Governor Roy Cooper declared a State of Emergency for the entire State of North Carolina based on the public health emergency posed by COVID-19; and

WHEREAS, the North Carolina Medical Board ("NCMB") is an agency of the State of North Carolina organized under Chapter 90 of the North Carolina General Statutes and is charged with the responsibility for licensing physicians, physician assistants, anesthesiologist assistants and perfusionists to practice in North Carolina and regulating such practice in the interest of the public health, safety and welfare; and

WHEREAS, in order to alleviate possible shortages of qualified healthcare professionals in critical need areas, the Board finds it necessary to relax certain regulatory requirements regarding the reassignment of physician assistants to new practice areas without the need to submit a new intent to practice or update supervisory arrangements; and

WHEREAS, it is in the public interest for the NCMB to take this action; and

WHEREAS, the NCMB held an emergency meeting on March 27, 2020, and discussed this subject at length; and

WHEREAS, by taking this action, the Board will be assisting hospitals and other healthcare facilities and practices in combatting the COVID-19 outbreak; and

WHEREAS, the NCMB has authority under N.C. Gen. Stat. § 90-12.5 to take this action in order to permit the provision of emergency health services to the public; and

WHEREAS, the NCMB voted to take this action on March 27, 2020, for the benefit and protection of the people of North Carolina and the Unites States of America.

NOW, THEREFORE, it is **ORDERED** that:

- 1. Physician assistants may be reassigned to a new practice area within the same facility (i.e., hospital, multi-specialty group practice) without submitting a new intent to practice or updating his or her supervisory arrangements, so long as:
 - a. the physician assistant is reassigned to perform only those medical tasks which the physician assistant is competent and qualified to do; and
 - b. the physician assistant has reasonable and immediate access to a physician, either in person or electronically, should medical issues arise.
- 2. During the temporary emergency reassignment, the physician assistant is expected to comply with all other applicable rules, including the requirement to confer at least monthly with a physician to ensure meaningful supervision and quality assurance within the new practice setting.
- 3. This Order is effective *only during the length of the declared state of emergency in North Carolina*. Once the governor has lifted the state of emergency, any physician assistant who continues practicing in the new setting is expected to file a new intent to practice and update his or her supervisory arrangements within thirty days.

This the 31st day of March, 2020.

NORTH CAROLINA MEDICAL BOARD

By:

Bryant A. Murphy 🕦.D.

President