

1 21 NCAC 32S .0219 is proposed for amendment under temporary procedures as follows:

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3 **21 NCAC 32S .0219 PHYSICIAN ASSISTANT PRACTICE AND LIMITED LICENSE FOR DISASTERS**
4 **AND EMERGENCIES**

5
6 ~~(a) The Board shall, pursuant to G.S. 90-12.5, issue a limited physician assistant license under the following~~
7 ~~conditions:~~

8 ~~(1) the Governor of the State of North Carolina has declared a disaster or state of emergency,~~
9 ~~or in the event of an occurrence for which a county or municipality has enacted an~~
10 ~~ordinance to deal with states of emergency under G.S. 14-288.12, 14-288.13, or 14-~~
11 ~~288.14, or to protect the public health, safety or welfare of its citizens under Article 22 of~~
12 ~~Chapter 130A of the General Statutes, G.S. 160A-174(a) or G.S. 153A-121(a);~~

13 ~~(2) the applicant provides government-issued photo identification;~~

14 ~~(3) the applicant provides proof of licensure, certification or authorization to practice as a~~
15 ~~physician assistant in another state, the District of Columbia, US Territory or Canadian~~
16 ~~province;~~

17 ~~(4) applicant affirms under oath that such license is in good standing; and~~

18 ~~(5) no grounds exist pursuant to G.S. 90-14(a) for the Board to deny a license.~~

19 ~~(b) In response to the specific circumstances presented by a declared disaster or state of emergency and~~
20 ~~in order to best serve the public interest, the Board may limit the physician assistant's scope of practice~~
21 ~~including, but not limited to, the following: geography; term; type of practice; prescribing, administering and~~
22 ~~dispensing therapeutic measures, tests, procedures and drugs; supervision; and practice setting.~~

23 ~~(c) The physician assistant must practice under the direct supervision of an on-site physician. The~~
24 ~~supervising physician must be licensed in this State or approved to practice in this State during a disaster~~
25 ~~or state of emergency pursuant to G.S. 90-12.5 and 21 NCAC 32B .1705. The physician assistant may~~
26 ~~perform only those medical acts, tasks, and functions delegated by the supervising physician and not limited~~
27 ~~by the physician assistant's scope of practice as set out in Paragraph (b) of this Rule.~~

28 ~~(d) A team of physician(s) and physician assistant(s) practicing pursuant to this Rule is not required to~~
29 ~~maintain on-site documentation describing supervisory arrangements and instructions for prescriptive~~
30 ~~authority as otherwise required by 21 NCAC 32S .0213.~~

31 ~~(e) A physician assistant holding a Limited Physician Assistant License for Disasters and Emergencies~~
32 ~~shall not receive any other or additional compensation outside his or her usual compensation, either direct~~
33 ~~or indirect, monetary, in-kind, or otherwise for the provision of medical services during a disaster or~~
34 ~~emergency.~~

35 (a) The Board shall, pursuant to G.S. 90-12.5, waive requirements for licensure except to the extent set
36 forth below and after the Governor of the State of North Carolina has declared a disaster or state of
37 emergency, or in the event of an occurrence for which a county or municipality has declared a state of

1 emergency, or to protect the public health, safety or welfare of its citizens under Article 22 of Chapter 130A
2 of the General Statutes. There are two ways for physician assistant assistants to practice under this rule:

3 (1) Hospital to Hospital Credentialing: A physician assistant who holds a full, unlimited and
4 unrestricted license to practice medicine in another U.S. state, territory or district and has
5 unrestricted hospital credentials and privileges in any U.S. state, territory or district may
6 come to North Carolina and practice medicine at a North Carolina hospital that is licensed
7 by the North Carolina Department of Health and Human Services upon the following terms
8 and conditions:

9 (A) the licensed North Carolina hospital shall verify all physician assistant credentials
10 and privileges;

11 (B) the licensed North Carolina hospital shall keep a list of all physician assistants
12 coming to practice and their respective supervising physicians and shall provide
13 this list to the Board within ten (10) days of each physician assistant practicing at
14 the licensed North Carolina hospital. The licensed North Carolina hospital shall
15 also provide the Board a list of when each physician assistant has stopped
16 practicing medicine in North Carolina under this section within ten (10) days after
17 each physician assistant has stopped practicing medicine under this section;

18 (C) all physician assistants practicing under this section shall be authorized to practice
19 medicine in North Carolina and deemed to be licensed to practice medicine in the
20 State of North Carolina and the Board shall have jurisdiction over all physician
21 assistants practicing under this section for all purposes set forth in or related to
22 Article 1 of Chapter 90 of the North Carolina General Statutes, and such jurisdiction
23 shall continue in effect even after any and all physician assistants have stopped
24 practicing medicine under this section;

25 (D) the physician assistant must practice under the direct supervision of an on-site
26 physician and the supervising physician must be licensed in this State or approved
27 to practice in this State during a disaster or state of emergency pursuant to G.S.
28 90-12.5;

29 (E) a physician assistant may practice under this section for the shorter of (a) thirty
30 (30) days from the date the physician assistant has started practicing under this
31 section or (b) a statement by an appropriate authority is made that the emergency
32 or disaster declaration has been withdrawn or ended and, at such time, the license
33 deemed to be issued shall become inactive; and

34 (F) physician assistants practicing under this section shall not receive any
35 compensation outside of their usual compensation for the provision of medical
36 services during a disaster or emergency.

1 (2) Limited Emergency License: A physician assistant who holds a full, unlimited and
2 unrestricted license to practice medicine in another U.S. state, territory or district may apply
3 for a limited emergency license on the following conditions:

4 (A) the applicant must complete a limited emergency license application;

5 (B) the Board shall verify that the physician assistant holds a full, unlimited and
6 unrestricted license to practice medicine in another U.S. state, territory or district;

7 (C) in response to the specific circumstances presented by a declared disaster or state
8 of emergency and in order to best serve the public interest, the Board may limit the
9 physician assistant assistant's scope of practice;

10 (D) the physician assistant must practice under the direct supervision of an on-site
11 physician and the supervising physician must be licensed in this State or approved
12 to practice in this State during a disaster or state of emergency pursuant to G.S.
13 90-12.5;

14 (E) physician assistants and physicians practicing pursuant to this Rule are not
15 required to maintain onsite documentation describing supervisory arrangements
16 and instructions for prescriptive authority as otherwise required by 21 NCAC 32S
17 .0213;

18 (F) the Board shall have jurisdiction over all physician assistants practicing under this
19 section for all purposes set forth in or related to Article 1 of Chapter 90 of the North
20 Carolina General Statutes, and such jurisdiction shall continue in effect even after
21 such physician assistant has stopped practicing medicine under this section or the
22 Limited Emergency License has expired;

23 (G) this license shall be in effect for the shorter of (a) thirty (30) days from the date it
24 is issued or (b) a statement by an appropriate authority is made that the emergency
25 or disaster declaration has been withdrawn or ended and, at such time, the license
26 issued shall become inactive; and

27 (H) physician assistants holding limited emergency licenses shall not receive any
28 compensation outside of their usual compensation for the provision of medical
29 services during a disaster or emergency.

30 (3) National Guard supervision waiver. The rules of this Subchapter are waived during
31 a declared state of emergency by the Governor of the State of North Carolina or
32 by a resolution of the North Carolina General Assembly for members of the North
33 Carolina National Guard who are actively licensed as physician assistants in the
34 State of North Carolina and are serving in a State Active Duty status.

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36 History Note: Authority G.S. 90-12.5; G.S. 90-18(c)(13); G.S. 90-13.2(e); G.S. 90-14(a); G.S. 166A-45
37 Eff. September 1, 2009;

1 *Amended Eff. November 1, 2010;*
2 *Pursuant to G.S. 150B-21.3A rule is necessary without substantive public interest Eff.*
3 *March 1, 2016*