

State of Arizona  
Senate  
Fifty-first Legislature  
Second Regular Session  
2014

# SENATE BILL 1345

AN ACT

AMENDING SECTIONS 32-1403, 32-1405, 32-2502, 32-2503, 32-2504, 32-2521, 32-2523 AND 32-2531, ARIZONA REVISED STATUTES; RELATING TO THE ARIZONA REGULATORY BOARD OF PHYSICIAN ASSISTANTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 32-1403, Arizona Revised Statutes, is amended to  
3 read:

4 32-1403. Powers and duties of the board; compensation;  
5 immunity; committee on executive director selection  
6 and retention

7 A. The primary duty of the board is to protect the public from  
8 unlawful, incompetent, unqualified, impaired or unprofessional practitioners  
9 of allopathic medicine through licensure, regulation and rehabilitation of  
10 the profession in this state. The powers and duties of the board include:

11 1. Ordering and evaluating physical, psychological, psychiatric and  
12 competency testing of licensed physicians and candidates for licensure as may  
13 be determined necessary by the board.

14 2. Initiating investigations and determining on its own motion if a  
15 doctor of medicine has engaged in unprofessional conduct or provided  
16 incompetent medical care or is mentally or physically unable to engage in the  
17 practice of medicine.

18 3. Developing and recommending standards governing the profession.

19 4. Reviewing the credentials and the abilities of applicants whose  
20 professional records or physical or mental capabilities may not meet the  
21 requirements for licensure or registration as prescribed in article 2 of this  
22 chapter in order for the board to make a final determination as to whether  
23 the applicant meets the requirements for licensure pursuant to this chapter.

24 5. Disciplining and rehabilitating physicians.

25 6. Engaging in a full exchange of information with the licensing and  
26 disciplinary boards and medical associations of other states and  
27 jurisdictions of the United States and foreign countries and the Arizona  
28 medical association and its components.

29 7. Directing the preparation and circulation of educational material  
30 the board determines is helpful and proper for licensees.

31 8. Adopting rules regarding the regulation and the qualifications of  
32 doctors of medicine.

33 9. Establishing fees and penalties as provided pursuant to section  
34 32-1436.

35 10. Delegating to the executive director the board's authority pursuant  
36 to section 32-1405 or 32-1451. The board shall adopt substantive policy  
37 statements pursuant to section 41-1091 for each specific licensing and  
38 regulatory authority the board delegates to the executive director.

39 B. The board may appoint one of its members to the jurisdiction  
40 arbitration panel pursuant to section 32-2907, subsection B.

41 C. There shall be no monetary liability on the part of and no cause of  
42 action shall arise against the executive director or such other permanent or  
43 temporary personnel or professional medical investigators for any act done or  
44 proceeding undertaken or performed in good faith and in furtherance of the  
45 purposes of this chapter.

1 D. In conducting its investigations pursuant to subsection A,  
2 paragraph 2 of this section, the board may receive and review staff reports  
3 relating to complaints and malpractice claims.

4 E. The board shall establish a program that is reasonable and  
5 necessary to educate doctors of medicine regarding the uses and advantages of  
6 autologous blood transfusions.

7 F. The board may make statistical information on doctors of medicine  
8 and applicants for licensure under this article available to academic and  
9 research organizations.

10 G. THE COMMITTEE ON EXECUTIVE DIRECTOR SELECTION AND RETENTION IS  
11 ESTABLISHED CONSISTING OF THE ARIZONA MEDICAL BOARD AND THE CHAIRPERSON AND  
12 VICE-CHAIRPERSON OF THE ARIZONA REGULATORY BOARD OF PHYSICIAN ASSISTANTS.  
13 THE COMMITTEE IS A PUBLIC BODY AND IS SUBJECT TO THE REQUIREMENTS OF TITLE  
14 38, CHAPTER 3, ARTICLE 3.1. THE COMMITTEE IS RESPONSIBLE FOR THE APPOINTMENT  
15 OF THE EXECUTIVE DIRECTOR PURSUANT TO SECTION 32-1405. ALL MEMBERS OF THE  
16 COMMITTEE ARE VOTING MEMBERS OF THE COMMITTEE. THE COMMITTEE SHALL ELECT A  
17 CHAIRPERSON AND A VICE-CHAIRPERSON WHEN THE COMMITTEE MEETS BUT NO MORE  
18 FREQUENTLY THAN ONCE A YEAR. THE CHAIRPERSON SHALL CALL MEETINGS OF THE  
19 COMMITTEE AS NECESSARY, AND THE VICE-CHAIRPERSON MAY CALL MEETINGS OF THE  
20 COMMITTEE THAT ARE NECESSARY IF THE CHAIRPERSON IS NOT AVAILABLE. THE  
21 PRESENCE OF EIGHT MEMBERS OF THE COMMITTEE AT A MEETING CONSTITUTES A  
22 QUORUM. THE COMMITTEE MEETINGS MAY BE HELD USING COMMUNICATION EQUIPMENT  
23 THAT ALLOWS ALL MEMBERS THAT ARE PARTICIPATING IN THE MEETING TO HEAR EACH  
24 OTHER. IF ANY DISCUSSIONS OCCUR IN AN EXECUTIVE SESSION OF THE COMMITTEE,  
25 NOTWITHSTANDING THE REQUIREMENT THAT DISCUSSIONS MADE AT AN EXECUTIVE SESSION  
26 BE KEPT CONFIDENTIAL AS SPECIFIED IN SECTION 38-431.03, THE CHAIRPERSON AND  
27 VICE-CHAIRPERSON OF THE ARIZONA REGULATORY BOARD OF PHYSICIAN ASSISTANTS MAY  
28 DISCUSS THIS INFORMATION WITH THE ARIZONA REGULATORY BOARD OF PHYSICIAN  
29 ASSISTANTS IN EXECUTIVE SESSION. THIS DISCLOSURE OF EXECUTIVE SESSION  
30 INFORMATION TO THE ARIZONA REGULATORY BOARD OF PHYSICIAN ASSISTANTS DOES NOT  
31 CONSTITUTE A WAIVER OF CONFIDENTIALITY OR ANY PRIVILEGE, INCLUDING THE  
32 ATTORNEY-CLIENT PRIVILEGE.

33 H. THE OFFICERS OF THE ARIZONA MEDICAL BOARD AND THE ARIZONA  
34 REGULATORY BOARD OF PHYSICIAN ASSISTANTS SHALL MEET TWICE A YEAR TO DISCUSS  
35 MATTERS OF MUTUAL CONCERN AND INTEREST.

36 Sec. 2. Section 32-1405, Arizona Revised Statutes, is amended to read:  
37 32-1405. Executive director; compensation; duties; appeal to  
38 the board

39 A. Subject to title 41, chapter 4, article 4, the ~~board~~ COMMITTEE ON  
40 EXECUTIVE DIRECTOR SELECTION AND RETENTION ESTABLISHED BY SECTION 32-1403  
41 shall appoint an executive director OF THE BOARD who shall serve at the  
42 pleasure of the ~~board~~ COMMITTEE. The executive director shall not be a board  
43 member, except that the board may authorize the executive director to  
44 represent the board and to vote on behalf of the board at meetings of the  
45 federation of state medical boards of the United States.

1 B. The executive director is eligible to receive compensation set by  
2 the board within the range determined under section 38-611.

3 C. The executive director or the executive director's designee shall:

4 1. Subject to title 41, chapter 4, article 4 and, as applicable,  
5 articles 5 and 6, employ, evaluate, dismiss, discipline and direct  
6 professional, clerical, technical, investigative and administrative personnel  
7 necessary to carry on the work of the board. ~~Investigative personnel~~ AN  
8 INVESTIGATOR shall complete a nationally recognized investigator training  
9 program within one year of date of hire. Until ~~investigative personnel~~ AN  
10 INVESTIGATOR completes a training program, the ~~investigative personnel~~  
11 INVESTIGATOR shall work under the supervision of an investigator who has  
12 completed a training program.

13 2. Set compensation for board employees within the range determined  
14 under section 38-611.

15 3. As directed by the board, prepare and submit recommendations for  
16 amendments to the medical practice act for consideration by the legislature.

17 4. Subject to title 41, chapter 4, article 4, employ medical  
18 consultants and agents necessary to conduct investigations, gather  
19 information and perform those duties the executive director determines are  
20 necessary and appropriate to enforce this chapter.

21 5. Issue licenses, registrations and permits to applicants who meet  
22 the requirements of this chapter.

23 6. Manage the board's offices.

24 7. Prepare minutes, records, reports, registries, directories, books  
25 and newsletters and record all board transactions and orders.

26 8. Collect all monies due and payable to the board.

27 9. Pay all bills for authorized expenditures of the board and its  
28 staff.

29 10. Prepare an annual budget.

30 11. Submit a copy of the budget each year to the governor, the speaker  
31 of the house of representatives and the president of the senate.

32 12. Initiate an investigation if evidence appears to demonstrate that a  
33 physician may be engaged in unprofessional conduct or may be medically  
34 incompetent or mentally or physically unable to safely practice medicine.

35 13. Issue subpoenas if necessary to compel the attendance and testimony  
36 of witnesses and the production of books, records, documents and other  
37 evidence.

38 14. Provide assistance to the attorney general in preparing and sign  
39 and execute disciplinary orders, rehabilitative orders and notices of  
40 hearings as directed by the board.

41 15. Enter into contracts for goods and services pursuant to title 41,  
42 chapter 23 that are necessary to carry out board policies and directives.

43 16. Execute board directives.

44 17. Manage and supervise the operation of the Arizona regulatory board  
45 of physician assistants.

- 1           18. Issue licenses to physician assistant applicants who meet the  
2 requirements of chapter 25 of this title.
- 3           19. Represent the board with the federal government, other states or  
4 jurisdictions of the United States, this state, political subdivisions of  
5 this state, the news media and the public.
- 6           20. On behalf of the Arizona medical board, enter into stipulated  
7 agreements with persons under the jurisdiction of either the Arizona medical  
8 board or the Arizona regulatory board of physician assistants for the  
9 treatment, rehabilitation and monitoring of chemical substance abuse or  
10 misuse.
- 11          21. Review all complaints filed pursuant to section 32-1451. If  
12 delegated by the board, the executive director may also dismiss a complaint  
13 if the complaint is without merit. The executive director shall not dismiss  
14 a complaint if a court has entered a medical malpractice judgment against a  
15 physician. The executive director shall submit a report of the cases  
16 dismissed with the complaint number, the name of the physician and the  
17 investigation timeline to the board for review at its regular board meetings.
- 18          22. If delegated by the board, directly refer cases to a formal  
19 hearing.
- 20          23. If delegated by the board, close cases resolved through mediation.
- 21          24. If delegated by the board, issue advisory letters.
- 22          25. If delegated by the board, enter into a consent agreement if there  
23 is evidence of danger to the public health and safety.
- 24          26. If delegated by the board, grant uncontested requests for inactive  
25 status and cancellation of a license pursuant to sections 32-1431 and  
26 32-1433.
- 27          27. If delegated by the board, refer cases to the board for a formal  
28 interview.
- 29          28. Perform all other administrative, licensing or regulatory duties  
30 required by the board.
- 31          D. Medical consultants and agents appointed pursuant to subsection C,  
32 paragraph 4 of this section are eligible to receive compensation determined  
33 by the executive director in an amount not to exceed two hundred dollars for  
34 each day of service.
- 35          E. A person who is aggrieved by an action taken by the executive  
36 director pursuant to subsection C, paragraphs 21 through 27 of this section  
37 or section 32-1422, subsection E, ~~may~~ may request the board to review that  
38 action by filing with the board a written request within thirty days after  
39 that person is notified of the executive director's action by personal  
40 delivery or, if the notification is mailed to that person's last known  
41 residence or place of business, within thirty-five days after the date on the  
42 notification. At the next regular board meeting, the board shall review the  
43 executive director's action. On review, the board shall approve, modify or  
44 reject the executive director's action.

1           Sec. 3. Section 32-2502, Arizona Revised Statutes, is amended to read:  
2           32-2502. Arizona regulatory board of physician assistants:  
3                           membership; appointment; terms; immunity

4           A. The Arizona regulatory board of physician assistants is established  
5 consisting of the following members:

6           1. ~~Four~~ FIVE physician assistants who hold a current regular license  
7 pursuant to this chapter. The governor may appoint these members from a list  
8 of qualified candidates submitted by the Arizona state association of  
9 physician assistants. The governor may seek additional input and nominations  
10 before the governor makes the physician assistant appointments.

11           2. Two public members WHO ARE appointed by the governor.

12           3. Two physicians who are actively engaged in the practice of medicine  
13 and who are licensed pursuant to chapter 17 of this title, one of whom  
14 supervises a physician assistant at the time of appointment, and who are  
15 appointed by the governor.

16           4. Two physicians who are actively engaged in the practice of medicine  
17 and who are licensed pursuant to chapter 13 of this title, one of whom  
18 supervises a physician assistant at the time of appointment, and who are  
19 appointed by the governor.

20           B. The term of office of members of the board is four years to begin  
21 and end on July 1.

22           C. Each board member is eligible for appointment to not more than two  
23 full terms, except that the term of office for a member appointed to fill a  
24 vacancy that is not caused by the expiration of a full term is for the  
25 unexpired portion of that term and the governor may reappoint that member to  
26 not more than two additional full terms. Each board member may continue to  
27 hold office until the appointment and qualification of that member's  
28 successor. However, the entity that appoints a board member may remove that  
29 member, after notice and a hearing before that entity, on a finding of  
30 continued neglect of duty, incompetence or unprofessional or dishonorable  
31 conduct. That member's term ends when the entity makes this finding.

32           D. A board member's term automatically ends:

33           1. On written resignation submitted to the board chairperson or to an  
34 appointing entity.

35           2. If the member is absent from this state for more than six months  
36 during a one-year period.

37           3. If the member fails to attend three consecutive regular board  
38 meetings.

39           4. Five years after retirement from active practice.

40           E. Board members are immune from civil liability for all good faith  
41 actions they take pursuant to this chapter.

42           Sec. 4. Section 32-2503, Arizona Revised Statutes, is amended to read:  
43           32-2503. Organization; meetings; compensation

44           A. The board shall annually elect a chairperson and vice-chairperson  
45 from among its members.

1 B. The board shall hold a regular meeting at least quarterly on a date  
2 and at a time and place it designates. ~~In addition, the chairperson may call~~  
3 ~~special meetings the board deems necessary. The board shall hold special~~  
4 ~~meetings on Saturdays as the chairperson may determine necessary to carry out~~  
5 ~~the functions of the board.~~ THE BOARD SHALL HOLD SPECIAL MEETINGS, INCLUDING  
6 MEETINGS USING COMMUNICATIONS EQUIPMENT THAT ALLOWS ALL MEMBERS PARTICIPATING  
7 IN THE MEETING TO HEAR EACH OTHER AS THE CHAIRPERSON DETERMINES ARE NECESSARY  
8 TO CARRY OUT THE FUNCTIONS OF THE BOARD. THE BOARD SHALL HOLD A SPECIAL  
9 MEETING ON ANY DAY THAT THE CHAIRPERSON DETERMINES IS NECESSARY TO CARRY OUT  
10 THE FUNCTIONS OF THE BOARD. THE VICE-CHAIRPERSON MAY CALL REGULAR MEETINGS  
11 AND SPECIAL MEETINGS IF THE CHAIRPERSON IS NOT AVAILABLE.

12 C. Members of the board are eligible to receive compensation in the  
13 amount of two hundred dollars for each day of actual service in the business  
14 of the board and for all expenses necessarily and properly incurred in  
15 attending board meetings.

16 Sec. 5. Section 32-2504, Arizona Revised Statutes, is amended to read:  
17 32-2504. Powers and duties; subcommittees

18 A. The board shall:

19 1. As its primary duty, protect the public from unlawful, incompetent,  
20 unqualified, impaired or unprofessional physician assistants.

21 2. License and regulate physician assistants pursuant to this chapter.

22 3. Order and evaluate physical, psychological, psychiatric and  
23 competency testing of licensees and applicants the board determines is  
24 necessary to enforce this chapter.

25 4. Review the credentials and the abilities of applicants for  
26 licensure whose professional records or physical or mental capabilities may  
27 not meet the requirements of this chapter.

28 5. Initiate investigations and determine on its own motion if a  
29 licensee has engaged in unprofessional conduct or is or may be incompetent or  
30 mentally or physically unable to safely perform health care tasks.

31 6. Establish fees and penalties pursuant to section 32-2526.

32 7. Develop and recommend standards governing the profession.

33 8. Engage in the full exchange of information with the licensing and  
34 disciplinary boards and professional associations of other states and  
35 jurisdictions of the United States and foreign countries and a statewide  
36 association for physician assistants.

37 9. Direct the preparation and circulation of educational material the  
38 board determines is helpful and proper for its licensees.

39 10. Discipline and rehabilitate physician assistants pursuant to this  
40 chapter.

41 11. Certify physician assistants for thirty-day prescription privileges  
42 for schedule II or schedule III controlled substances if the physician  
43 assistant:

44 (a) Within the preceding three years of application, completed  
45 forty-five hours in pharmacology or clinical management of drug therapy or at

1 the time of application is certified by a national commission on the  
2 certification of physician assistants or its successor.

3 (b) Met any other requirement established by board rule.

4 B. The board may make and adopt rules necessary or proper for the  
5 administration of this chapter.

6 C. The chairperson may establish subcommittees consisting of board  
7 members and define their duties as the chairperson deems necessary to carry  
8 out the functions of the board.

9 D. Board employees, including the executive director, temporary  
10 personnel and professional medical investigators, are immune from civil  
11 liability for good faith actions they take to enforce this chapter.

12 E. In performing its duties pursuant to subsection A of this section,  
13 the board may receive and review staff reports on complaints, malpractice  
14 cases and all investigations.

15 F. THE CHAIRPERSON AND VICE-CHAIRPERSON OF THE ARIZONA REGULATORY  
16 BOARD OF PHYSICIAN ASSISTANTS ARE MEMBERS OF THE COMMITTEE ON EXECUTIVE  
17 DIRECTOR SELECTION AND RETENTION ESTABLISHED BY SECTION 32-1403, SUBSECTION  
18 G, WHICH IS RESPONSIBLE FOR THE APPOINTMENT OF THE EXECUTIVE DIRECTOR  
19 PURSUANT TO SECTION 32-1405.

20 Sec. 6. Section 32-2521, Arizona Revised Statutes, is amended to read:

21 32-2521. Qualifications

22 A. An applicant for licensure shall:

23 1. Have graduated from a physician assistants educational program  
24 approved by the board.

25 2. Pass a certifying examination approved by the board.

26 3. Be physically and mentally able to safely perform health care tasks  
27 as a physician assistant.

28 4. Have a professional record that indicates that the applicant has  
29 not committed any act or engaged in any conduct that constitutes grounds for  
30 disciplinary action against a licensee pursuant to this chapter. This  
31 paragraph does not prevent the board from considering the application of an  
32 applicant who was the subject of disciplinary action in another jurisdiction  
33 if the applicant's act or conduct was subsequently corrected, monitored and  
34 resolved to the satisfaction of that jurisdiction's regulatory board.

35 5. Not have had a license to practice revoked by a regulatory board in  
36 another jurisdiction in the United States for an act that occurred in that  
37 jurisdiction that constitutes unprofessional conduct pursuant to this  
38 chapter.

39 6. Not be currently under investigation, suspension or restriction by  
40 a regulatory board in another jurisdiction in the United States for an act  
41 that occurred in that jurisdiction that constitutes unprofessional conduct  
42 pursuant to this chapter. If the applicant is under investigation by a  
43 regulatory board in another jurisdiction, the board shall suspend the  
44 application process and may not issue or deny a license to the applicant  
45 until the investigation is resolved.



1 the prescribed renewal fee and supplying the board with information it deems  
2 necessary including proof of having completed twenty hours of category I  
3 continuing medical education approved by the American academy of physician  
4 assistants, the American medical association, the American osteopathic  
5 association or ANY other accrediting organization acceptable to the board  
6 within the previous renewal year of July 1 through June 30. EACH YEAR THE  
7 BOARD, TO VERIFY CONTINUING MEDICAL EDUCATION COMPLIANCE, SHALL RANDOMLY  
8 AUDIT AT LEAST TEN PER CENT OF PHYSICIAN ASSISTANTS WHO DO NOT HOLD A CURRENT  
9 NATIONAL CERTIFICATION FROM A NATIONAL CERTIFICATION ORGANIZATION FOR  
10 PHYSICIAN ASSISTANTS THAT IS APPROVED BY THE BOARD.

11 B. Except as provided in section 32-4301, if a holder of a regular  
12 license fails to renew the license on or before July 1 of each year that  
13 person shall pay the prescribed penalty fee for a late renewal.

14 C. Except as provided in section 32-4301, if a holder of a regular  
15 license fails to renew the license on or before October 1 of each year, the  
16 license expires. It is unlawful for a person to perform health care tasks of  
17 a physician assistant after the license expires.

18 D. A person whose license expires may reapply for licensure pursuant  
19 to this chapter.

20 E. If a licensee does not meet the requirements of subsection A of  
21 this section because of that person's illness, religious missionary activity  
22 or residence in a foreign country or any other extenuating circumstance, the  
23 board may grant an extension of the deadline if it receives a written request  
24 to do so from the licensee that details the reasons for this request.

25 Sec. 8. Section 32-2531, Arizona Revised Statutes, is amended to read:  
26 32-2531. Physician assistant scope of practice: health care  
27 tasks: supervising physician duties: civil penalty

28 A. A supervising physician may delegate health care tasks to a  
29 physician assistant.

30 B. A physician assistant shall not perform surgical abortions as  
31 defined in section 36-2151.

32 C. The physician assistant may perform those duties and  
33 responsibilities, including the ordering, prescribing, dispensing and  
34 administration of drugs and medical devices, that are delegated by the  
35 supervising physician.

36 D. The physician assistant may provide any medical service that is  
37 delegated by the supervising physician if the service is within the physician  
38 assistant's skills, is within the physician's scope of practice and is  
39 supervised by the physician.

40 E. The physician assistant may pronounce death and, if delegated, may  
41 authenticate by the physician assistant's signature any form that may be  
42 authenticated by a physician's signature.

43 F. The physician assistant is the agent of the physician assistant's  
44 supervising physician in the performance of all practice related activities,  
45 including the ordering of diagnostic, therapeutic and other medical services.

1 G. The physician assistant may perform health care tasks in any  
2 setting authorized by the supervising physician, including physician offices,  
3 clinics, hospitals, ambulatory surgical centers, patient homes, nursing homes  
4 and other health care institutions. These tasks may include:

- 5 1. Obtaining patient histories.
- 6 2. Performing physical examinations.
- 7 3. Ordering and performing diagnostic and therapeutic procedures.
- 8 4. Formulating a diagnostic impression.
- 9 5. Developing and implementing a treatment plan.
- 10 6. Monitoring the effectiveness of therapeutic interventions.
- 11 7. Assisting in surgery.
- 12 8. Offering counseling and education to meet patient needs.
- 13 9. Making appropriate referrals.
- 14 10. Prescribing schedule IV or V controlled substances as defined in  
15 the federal controlled substances act of 1970 (P.L. 91-513; 84 Stat. 1242;  
16 21 United States Code section 802) and prescription-only medications.
- 17 11. Prescribing schedule II and III controlled substances as defined in  
18 the federal controlled substances act of 1970.
- 19 12. Performing minor surgery as defined in section 32-2501.
- 20 13. Performing other nonsurgical health care tasks that are normally  
21 taught in courses of training approved by the board, that are consistent with  
22 the training and experience of the physician assistant and that have been  
23 properly delegated by the supervising physician.

24 H. The supervising physician shall:

- 25 1. Meet the requirements established by the board for supervising a  
26 physician assistant.
- 27 2. Accept responsibility for all tasks and duties the physician  
28 delegates to a physician assistant.
- 29 3. Notify the board and the physician assistant in writing if the  
30 physician assistant exceeds the scope of the delegated health care tasks.
- 31 4. Maintain a written agreement with the physician assistant. The  
32 agreement must state that the physician will exercise supervision over the  
33 physician assistant and retains professional and legal responsibility for the  
34 care rendered by the physician assistant. The agreement must be signed by  
35 the supervising physician and the physician assistant and updated annually.  
36 The agreement must be kept on file at the practice site and made available to  
37 the board on request. EACH YEAR THE BOARD SHALL RANDOMLY AUDIT AT LEAST FIVE  
38 PER CENT OF THESE AGREEMENTS FOR COMPLIANCE.

39 I. A physician's ability to supervise a physician assistant is not  
40 affected by restrictions imposed by the board on a physician assistant  
41 pursuant to disciplinary action taken by the board.

42 J. Supervision must be continuous but does not require the personal  
43 presence of the physician at the place where health care tasks are performed  
44 if the physician assistant is in contact with the supervising physician by  
45 telecommunication. If the physician assistant practices in a location where

1 a supervising physician is not routinely present, the physician assistant  
2 must meet in person or by telecommunication with a supervising physician at  
3 least once each week to ensure ongoing direction and oversight of the  
4 physician assistant's work. The board by order may require the personal  
5 presence of a supervising physician when designated health care tasks are  
6 performed.

7 K. At all times while a physician assistant is on duty, the physician  
8 assistant shall wear a name tag with the designation "physician assistant" on  
9 it.

10 L. The board by rule may prescribe a civil penalty for a violation of  
11 this article. The penalty shall not exceed fifty dollars for each violation.  
12 The board shall deposit, pursuant to sections 35-146 and 35-147, all monies  
13 it receives from this penalty in the state general fund. A physician  
14 assistant and the supervising physician may contest the imposition of this  
15 penalty pursuant to board rule. The imposition of a civil penalty is public  
16 information, and the board may use this information in any future  
17 disciplinary actions.

18 Sec. 9. Rulemaking exemption; Arizona regulatory board of  
19 physician assistants

20 For the purposes of implementing this act and to adjust renewal time  
21 frames, the Arizona regulatory board of physician assistants is exempt from  
22 the rulemaking requirements of title 41, chapter 6, Arizona Revised Statutes,  
23 for one year after the effective date of this act, except that the board  
24 shall provide public notice and an opportunity for public comment on proposed  
25 rules at least thirty days before a rule is adopted or amended.