

# SB 337 HIGHLIGHTS

Section 3502 of the *Business and Professions Code* is amended (excerpted in part from the SB 337)

The supervising physician and surgeon (SP) shall **use one or more of the following** mechanisms to ensure adequate supervision of the physician assistant (PA) functioning under the protocols:

(i)

(i) The SP shall review, countersign, and date a sample consisting of, at a minimum, 5 percent of the medical records of patients treated by the PA functioning under the protocols within 30 days of the date of treatment by the PA.

This is existing law and has been since the passage of AB 3 in 2008. If you and your SP find this way of documenting supervision best for your practice, there is no need to change ANYTHING with SB 337. Just keep doing what you are doing.

or

(ii)

(ii) The SP and PA shall conduct a medical records review meeting at least once a month during at least 10 months of the year. During any month in which a medical records review meeting occurs, the SP and PA shall review an aggregate of at least 10 medical records of patients treated by the PA functioning under protocols. Documentation of medical records reviewed during the month shall be jointly signed and dated by the SP and PA.

This option is a new one for California PAs and their SPs. Your EHR system may not allow for co-signature of the SP or you may find that you and your SP prefer to review cases in person or electronically, such as over the phone, instead of co-signing charts. You may choose this option instead of the way you are currently documenting supervision. A medical records review meeting is defined as *a meeting between the supervising physician and surgeon and the physician assistant during which medical records are reviewed to ensure adequate supervision of the PA functioning under protocols. Medical records review meetings may occur in person or by electronic communication.*

or a some combination of the mechanisms in (i) and (ii) above

(iii)

(iii) The SP shall review a sample of at least 10 medical records per month, at least 10 months during the year, using a combination of the countersignature mechanism described in clause (i) and the medical records review meeting mechanism described in clause (ii). During each month for which a sample is reviewed, at least one of the medical records in the sample shall be reviewed using the mechanism described in clause (i) and at least one of the medical records in the sample shall be reviewed using the mechanism described in clause (ii).

This clause (iii) ensures if you use both mechanisms (offering greater flexibility for some practices), there is a minimum of 10 medical records per month for 10 months of year using both mechanisms. It is simply options (i) and (ii) above, ensuring a minimum number of medical cases are reviewed.

Section 3502.1 of the *Business and Professions Code* is amended (excerpted in part from the SB 337)

The supervising physician (SP) shall **use either of the following** mechanisms to ensure adequate supervision of the administration, provision, or issuance by a PA of a drug order to a patient for Schedule II controlled substances:

(1)

All medical records (100%) for patients who have been issued a Schedule II controlled substance shall be reviewed, countersigned, and dated by a supervising physician and surgeon within seven days.

Current law. If you and your supervising physician and/or medical facility wish to continue to have 100% of the medical records reviewed and countersigned, there is no need to change anything.

or

(2)

If the PA has completed an education course meeting the standards and content established in Sections 1399.610 and 1399.612 of Title 16 of the California Code of Regulations, the SP shall review, countersign and date, within 7 days, a sample consisting of at least 20% of the patients who have been issued a Schedule II controlled substance.

New option beginning January 1, 2016. Note: If you have already completed CAPA's Controlled Substances Education Course, congratulations, you do not need to retake the course to meet the standards and content referenced above.