

Substitute House Bill No. 5562

PUBLIC ACT NO. 90-211

AN ACT CONCERNING LICENSURE OF PHYSICIAN ASSISTANTS, THE PRESCRIPTIVE AUTHORITY OF ADVANCED PRACTICE NURSES, AND STATUTORY RECOGNITION OF ATHLETIC TRAINERS.

Section 1. Subsection (a) of section 20-8a of the general statutes is repealed and the following is substituted in lieu thereof:

(a) There shall be within the department of health services a Connecticut medical examining board. Said board shall consist of [nine] TWELVE members appointed by the governor, subject to the provisions of section 4-9a, as follows: Four physicians practicing in the state; one physician who shall be a full-time member of the faculty of The University of Connecticut School of Medicine; one physician who shall be a full-time chief of staff in a general-care hospital in the state; ONE PHYSICIAN WHO SHALL BE REGISTERED AS A SUPERVISING PHYSICIAN FOR ONE OR MORE PHYSICIAN ASSISTANTS; ONE PHYSICIAN ASSISTANT LICENSED PURSUANT TO SECTION 4 OF THIS ACT AND PRACTICING IN THIS STATE; and [three] FOUR public members. No professional member of said board shall be an elected or appointed officer of a professional society or association relating to his profession at the time of his appointment or have been such an officer during the year immediately preceding such appointment or serve for more than two full consecutive terms which commence after July 1, 1980. Professional members shall be practitioners in good professional standing and residents of this state.

Sec. 2. Section 20-9 of the general statutes, as amended by section 4 of public act 89-389, is repealed and the following is substituted in lieu thereof:

No person shall, for compensation, gain or reward, received or expected, diagnose, treat, operate for or prescribe for any injury, deformity, ailment or disease, actual or imaginary, of another person, nor practice surgery, until he has obtained such a license as provided in section 20-10, and then only in the kind or branch of practice stated in such license; but the provisions of this chapter shall not apply to dentists while practicing dentistry only; nor to any person in the employ of the United States government while acting in the scope of his employment; nor to any person who furnishes medical or surgical assistance in cases of sudden emergency; nor to any person residing out of this state who is employed to come into this state to render temporary assistance to or consult with any physician or surgeon who has been licensed in conformity with the provisions of this chapter;

nor to any physician or surgeon then actually residing out of this state who is employed to come into this state to treat, operate or prescribe for any injury, deformity, ailment or disease from which the person who employed such physician, or the person on behalf of whom such physician is employed, is suffering at the time when such nonresident physician or surgeon is so employed; nor to any person rendering service as an advanced practice registered nurse if such service is rendered under the direction of a licensed physician; nor to any nurse-midwife practicing nurse-midwifery in accordance with the provisions of chapter 377, as amended, nor to any podiatrist licensed in accordance with the provisions of chapter 375; nor to any Christian Science practitioner who does not use or prescribe in his practice any drugs, poisons, medicines, chemicals, nostrums or surgery; nor to any person licensed to practice any of the healing arts named in section 20-1, who does not use or prescribe in his practice any drugs, medicines, poisons, chemicals, nostrums or surgery; nor to any graduate of any school or institution giving instruction in the healing arts who has been issued a permit in accordance with subsection (a) of section 20-11a and who is serving as an intern or resident in a hospital; nor to any student participating in a clinical clerkship program who has the qualifications specified in subsection (b) of section 20-11a; nor to any person, otherwise qualified to practice medicine in this state except that he is a graduate of a medical school located outside of the United States or the Dominion of Canada which school is recognized by the American Medical Association or the World Health Organization, to whom the Connecticut medical examining board, subject to such regulations as the commissioner of health services, with advice and assistance from the board prescribes, has issued a permit to serve as an intern or resident in a hospital in this state for the purpose of extending his education; nor to any person rendering service as a [physician's] PHYSICIAN assistant [as defined in section 20-12a] LICENSED PURSUANT TO SECTION 4 OF THIS ACT, a registered nurse, or a licensed practical nurse if such service is rendered under the supervision, control and responsibility of a licensed physician; NOR TO ANY STUDENT ENROLLED IN AN ACCREDITED PHYSICIAN ASSISTANT PROGRAM WHO IS PERFORMING SUCH WORK AS IS INCIDENTAL TO HIS COURSE OF STUDY; NOR TO ANY PERSON PERFORMING ATHLETIC TRAINING AS DESCRIBED IN SECTION 18 OF THIS ACT, except that this section shall not authorize anyone to practice optometry as defined in chapter 380 or to practice dentistry or dental

hygiene as defined in chapter 379; nor, when deemed by the Connecticut medical examining board to be in the public's interest, based on such considerations as academic attainments, specialty board certification and years of experience, to a foreign physician or surgeon whose professional activities shall be confined within the confines of a recognized medical school.

Sec. 3. Section 20-12a of the general statutes is repealed and the following is substituted in lieu thereof:

[(a) For the purposes of this chapter: "Physician assistant" means a skilled individual who is qualified by academic and practical training to provide patient services under the supervision, control, responsibility and direction of a physician licensed in accordance with the provisions of this chapter; and "supervision" means the overseeing of or the participation in the work of a physician assistant by a licensed physician including but not limited to: (1) Continuous availability of direct communication either in person or by radio, telephone or telecommunications between the physician assistant and a licensed physician; (2) availability of a licensed physician on a regularly scheduled basis to (A) review the practice of the physician assistant, (B) review charts and records of the physician assistant, and (C) support the physician assistant in the performance of his services; and (3) a predetermined plan for emergency situations, including the designation of an alternate licensed physician in the absence of the regular licensed physician.

(b) No person shall represent himself as a physician assistant unless such person has graduated from a physician assistant program approved by the American Medical Association and has passed the National Commission on Certification of Physician Assistants certifying examination within two years of graduation or has passed such certifying examination not later than December 31, 1982.]

AS USED IN THIS SECTION AND SECTIONS 4 TO 9, INCLUSIVE, OF THIS ACT:

(1) "ACCREDITED PHYSICIAN ASSISTANT PROGRAM" MEANS A PHYSICIAN ASSISTANT PROGRAM ACCREDITED BY THE COMMITTEE ON ALLIED HEALTH EDUCATION AND ACCREDITATION OF THE AMERICAN MEDICAL ASSOCIATION.

(2) "BOARD" MEANS THE CONNECTICUT MEDICAL EXAMINING BOARD, ESTABLISHED PURSUANT TO SECTION 20-8a, AS AMENDED BY SECTION 1 OF THIS ACT.

(3) "DEPARTMENT" MEANS THE DEPARTMENT OF HEALTH SERVICES.

(4) "NATIONAL COMMISSION" MEANS THE NATIONAL COMMISSION ON CERTIFICATION OF PHYSICIAN ASSISTANTS OR A SUCCESSOR ORGANIZATION FOR THE

CERTIFICATION OR RECERTIFICATION OF PHYSICIAN ASSISTANTS THAT MAY BE APPROVED BY THE DEPARTMENT.

(5) "PHYSICIAN ASSISTANT" MEANS AN INDIVIDUAL FUNCTIONING IN A DEPENDENT RELATIONSHIP WITH A PHYSICIAN AND LICENSED PURSUANT TO SECTION 4 OF THIS ACT TO PROVIDE PATIENT SERVICES UNDER THE SUPERVISION, CONTROL, RESPONSIBILITY AND DIRECTION OF A PHYSICIAN LICENSED IN ACCORDANCE WITH THE PROVISIONS OF THIS CHAPTER.

(6) "SUPERVISING PHYSICIAN" MEANS A PHYSICIAN LICENSED PURSUANT TO THIS CHAPTER WHO IS REGISTERED WITH THE DEPARTMENT PURSUANT TO SECTION 5 OF THIS ACT AND WHO ASSUMES RESPONSIBILITY FOR THE SUPERVISION OF SERVICES RENDERED BY A PHYSICIAN ASSISTANT.

(7) "SUPERVISION" MEANS THE EXERCISE BY THE SUPERVISING PHYSICIAN OF OVERSIGHT, CONTROL AND DIRECTION OF THE SERVICES OF A PHYSICIAN ASSISTANT. SUPERVISION INCLUDES BUT IS NOT LIMITED TO: (A) CONTINUOUS AVAILABILITY OF DIRECT COMMUNICATION EITHER IN PERSON OR BY RADIO, TELEPHONE OR TELECOMMUNICATIONS BETWEEN THE PHYSICIAN ASSISTANT AND THE SUPERVISING PHYSICIAN; (B) ACTIVE AND CONTINUING OVERVIEW OF THE PHYSICIAN ASSISTANT'S ACTIVITIES TO ENSURE THAT THE PHYSICIAN'S DIRECTIONS ARE BEING IMPLEMENTED AND TO SUPPORT THE PHYSICIAN ASSISTANT IN THE PERFORMANCE OF HIS SERVICES; (C) PERSONAL REVIEW BY THE SUPERVISING PHYSICIAN OF THE PHYSICIAN ASSISTANT'S PRACTICE AT LEAST WEEKLY OR MORE FREQUENTLY AS NECESSARY TO ENSURE QUALITY PATIENT CARE; (D) REVIEW OF THE CHARTS AND RECORDS OF THE PHYSICIAN ASSISTANT ON A REGULAR BASIS AS NECESSARY TO ENSURE QUALITY PATIENT CARE; (E) DELINEATION OF A PREDETERMINED PLAN FOR EMERGENCY SITUATIONS; AND (F) DESIGNATION OF AN ALTERNATE LICENSED PHYSICIAN IN THE ABSENCE OF THE SUPERVISING PHYSICIAN.

Sec. 4. (NEW) (a) The department may, upon receipt of a fee of one hundred fifty dollars, issue a physician assistant license to an applicant who: (1) Holds a baccalaureate or higher degree in any field from a regionally accredited institution of higher education; (2) has graduated from an accredited physician assistant program; (3) has passed the certification examination of the National Commission; (4) has satisfied the mandatory continuing medical education requirements of the National Commission for current certification by such commission and has passed any examination or continued competency assessment the passage of which may be required by the National Commission for maintenance of current certification by such commission; and (5) has completed not less than sixty hours of didactic instruction in pharmacology for physician assistant practice approved by the department.

(b) The department may, upon receipt of a fee of one hundred fifty dollars, issue a physician assistant license to an applicant who: (1) Passed the certification examination of the National Commission not later than December 31, 1982; (2) has been employed since December 31, 1985, as a physician assistant in Connecticut, with no lapse of such employment of longer than twelve consecutive months; (3) has satisfied the mandatory continuing medical education requirements of the National Commission for current certification by such commission and has passed any examination or continued competency assessment the passage of which may be required by the National Commission for maintenance of current certification by such commission; and (4) has completed not less than sixty hours of didactic instruction in pharmacology for physician assistant practice approved by the department.

(c) The department may, upon receipt of a fee of one hundred fifty dollars, issue a physician assistant license to an applicant who: (1) Has graduated from an accredited physician assistant program; (2) has passed the certification examination of the National Commission; (3) has satisfied the mandatory continuing medical education requirements of the National Commission for current certification by such commission and has passed any examination or continued competency assessment the passage of which may be required by the National Commission for maintenance of current certification by such commission; (4) has completed not less than sixty hours of didactic instruction in pharmacology for physician assistant practice approved by the department; (5) resides in Connecticut at the time of application for licensure; and (6) has applied and been found eligible for such licensure not later than June 30, 1992.

(d) The department may, upon receipt of a fee of seventy-five dollars, issue a temporary permit to an applicant who (1) is a graduate of an accredited physician assistant program; (2) has completed not less than sixty hours of didactic instruction in pharmacology for physician assistant practice approved by the department; and (3) if applying for such permit on and after September 30, 1991, holds a baccalaureate or higher degree in any field from a regionally accredited institution of higher education. Such temporary permit shall authorize the holder to practice as a physician assistant only in those settings where the supervising physician is physically present on the premises and is immediately available to the physician assistant when needed, but shall not authorize the holder to prescribe or dispense drugs. Such temporary permit

shall be valid from the date of issuance of same until the date of issuance of the results of the first certification examination scheduled by the National Commission following the applicant's graduation from an accredited physician assistant program. Such permit shall become void and shall not be re-issued in the event that the applicant fails to pass such examination. Violation of the restrictions on practice set forth in this subsection may constitute a basis for denial of licensure as a physician assistant.

(e) No license or temporary permit shall be issued under this section to any applicant against whom professional disciplinary action is pending or who is the subject of an unresolved complaint.

(f) No person shall practice as a physician assistant or represent himself as a physician assistant unless he holds a license or temporary permit pursuant to this section.

Sec. 5. (NEW) (a) Each physician assistant practicing in this state shall have a clearly identified supervising physician who maintains the final responsibility for the care of patients and the performance of the physician assistant. No physician assistant issued a license or temporary permit by the department shall practice until such time as a supervising physician has been registered with the department. An individual may register with the department as a supervising physician provided he: (1) Possesses a current unrestricted license to practice medicine issued pursuant to chapter 370 of the general statutes; and (2) has submitted a completed application, on such forms as the department may require, with a fee of thirty-seven dollars and fifty cents. No physician shall function as a supervising physician unless so registered with the department.

(b) No physician shall function as a supervising physician for more than two physician assistants concurrently, unless such physician assistants are directly employed as staff of an institution licensed as a hospital pursuant to subsection (a) of section 19a-491 of the general statutes, as amended by section 6 of public act 89-350.

(c) Nothing in chapter 370 of the general statutes, as amended and sections 4 to 9, inclusive, of this act shall be construed to prohibit the employment of physician assistants in a hospital or other health care facility where such physician assistants function under the direction of a supervising physician.

(d) A supervising physician shall notify the department in writing within thirty days of termination of a physician-physician assistant supervisory relationship. Nothing in this

subsection shall relieve a supervising physician of his responsibility to report pursuant to section 7 of this act.

Sec. 6. (NEW) (a) A physician assistant who has complied with the provisions of sections 4 and 5 of this act may perform medical functions delegated to him by a supervising physician when: (1) The supervising physician has satisfied himself as to the ability and competency of the physician assistant; (2) such delegation is consistent with the health and welfare of the patient and in keeping with sound medical practice; and (3) when such functions are performed under the oversight, control and direction of the supervising physician. The functions which may be performed under such delegation are those which are within the scope of the supervising physician's license, within the scope of such physician's competence as evidenced by such physician's postgraduate education, training and experience, and are within the normal scope of such physician's actual practice. Delegated functions shall be implemented in accordance with written protocols established by the supervising physician. All orders written by physician assistants shall be followed by the signature of the physician assistant and the printed name of the supervising physician. A physician assistant may, as delegated by the supervising physician within the scope of such physician's license, prescribe and administer drugs, including controlled substances in schedule IV or V; except that a physician assistant may, as delegated by the supervising physician within the scope of such physician's license, prescribe and administer drugs, including controlled substances in schedule II, III, IV, or V to an inpatient in a short-term hospital as defined in the regulations of Connecticut state agencies and licensed pursuant to subsection (a) of section 19a-491 of the general statutes, as amended by section 6 of public act 89-350, provided in all cases where the physician assistant prescribes a controlled substance in schedule II or III, the physician under whose supervision the physician assistant is prescribing shall co-sign the order not later than twenty-four hours thereafter. The physician assistant may, as delegated by the supervising physician within the scope of such physician's license, dispense drugs, in the form of professional samples as defined in section 20-14c of the general statutes, as amended by section 13 of public act 89-384 and section 12 of this act, or when dispensing in an outpatient clinic as defined in the regulations of Connecticut state agencies and licensed pursuant to subsection (a) of section 19a-491 of the general statutes, as

amended by section 6 of public act 89-350, which operates on a not-for-profit basis, or when dispensing in a clinic operated by a state agency or municipality. Nothing in this subsection shall be construed to allow the physician assistant to dispense any drug which the physician assistant is not authorized under this subsection to prescribe.

(b) All prescription forms used by physician assistants shall contain the printed name, license number, address and telephone number of the physician under whose supervision the physician assistant is prescribing, in addition to the signature, name, address and license number of the physician assistant.

(c) No physician assistant shall engage in the independent practice of medicine, nor shall a physician assistant represent himself or allow himself to be represented as a physician licensed pursuant to chapter 370 of the general statutes, as amended, nor shall he use the title of doctor nor shall he associate or allow to be associated with his name any term which would suggest that he is qualified to engage in the independent practice of medicine. The physician assistant shall clearly identify himself by appropriate identification as a physician assistant to ensure that he is not mistaken for a physician licensed pursuant to said chapter 370.

Sec. 7. (NEW) (a) The state or county medical society or any state professional organization of physician assistants or any physician or physician assistant or any hospital shall within thirty days, and the board or any individual may, file a petition when such society, organization, practitioner, hospital, board or individual has any information that appears to show that a physician assistant is or may be unable to practice as a physician assistant with reasonable skill or safety for any of the reasons listed in section 8 of this act. Petitions shall be filed with the department.

(b) Any health care facility licensed pursuant to subsection (a) of section 19a-491 of the general statutes, as amended by section 6 of public act 89-350, which terminates or restricts the staff membership or privileges of any physician assistant shall, not later than fifteen days after the effective date of such action, notify the department of such action.

Sec. 8. (NEW) The board shall have jurisdiction to hear all charges of conduct which fails to conform to the accepted standards of the physician assistant profession brought against persons licensed to practice as a physician assistant. The board may take any action set forth in section 19a-17 of the general statutes, if it finds that a person licensed as a physician



assistant fails to conform to the accepted standards of the physician assistant profession. Conduct which fails to conform to the accepted standards of the physician assistant profession includes, but is not limited to, the following: Conviction of a felony; fraud or deceit in professional practice; illegal conduct; negligent, incompetent or wrongful conduct in professional activities; emotional disorder or mental illness; physical illness including, but not limited to, deterioration through the aging process; abuse or excessive use of drugs, including alcohol, narcotics or chemicals; wilful falsification of entries into any patient record; possession, use, prescription for use, or distribution of controlled substances or legend drugs, except for therapeutic or other medically proper purposes; misrepresentation or concealment of a material fact in the obtaining or reinstatement of a physician assistant license; or violation of any provisions of chapter 370 of the general statutes, as amended, and sections 4 to 9, inclusive, of this act and section 21a-252 of the general statutes, as amended by section 14 of this act. The commissioner may order a license holder to submit to a reasonable physical or mental examination if his physical or mental capacity to practice safely is the subject of an investigation. The commissioner may petition the superior court for the judicial district of Hartford-New Britain to enforce such order or any action taken pursuant to section 19a-17 of the general statutes. Notice of any contemplated action under said section, the cause of the action and the date of a hearing on the action shall be given and an opportunity for hearing afforded in accordance with the provisions of chapter 54 of the general statutes.

Sec. 9. (NEW) The department may, with the advice and assistance of the board, promulgate such regulations as may be necessary for the implementation of section 20-12a of the general statutes, as amended by section 3 of this act and sections 4 to 8, inclusive, of this act.

Sec. 10. Section 20-13c of the general statutes is repealed and the following is substituted in lieu thereof:

The board is authorized to restrict, suspend or revoke the license or limit the right to practice of a physician in accordance with section 19a-17, when the board finds that such physician is unable to practice medicine with reasonable skill or safety for any of the following reasons: (1) Physical illness or loss of motor skill, including but not limited to deterioration through the aging process; (2) emotional disorder or mental illness; (3) abuse or excessive use of

drugs, including alcohol, narcotics or chemicals; (4) illegal, incompetent or negligent conduct in the practice of medicine; (5) possession, use, prescription for use, or distribution of controlled substances or legend drugs, except for therapeutic or other medically proper purposes; (6) misrepresentation or concealment of a material fact in the obtaining or reinstatement of a license to practice medicine; [or] (7) FAILURE TO ADEQUATELY SUPERVISE A PHYSICIAN ASSISTANT; OR (8) violation of any provision of this chapter or any regulation established hereunder.

Sec. 11. Section 20-14 of the general statutes is repealed and the following is substituted in lieu thereof:

No provision of this section, sections 20-8, 20-9 to 20-13, inclusive, AS AMENDED, or 20-14a shall be construed to repeal or affect any of the provisions of any private charter, or to apply to licensed pharmacists. All physicians or surgeons AND ALL PHYSICIAN ASSISTANTS practicing under the provisions of this chapter AND SECTIONS 4 TO 8, INCLUSIVE, OF THIS ACT, shall, when requested, write a duplicate of their prescriptions in the English language. Any person who violates any provision of this section regarding prescriptions shall be fined ten dollars for each offense. Any person who violates any provision of section 20-9, AS AMENDED BY SECTION 4 OF PUBLIC ACT 89-389, shall be fined not more than five hundred dollars or be imprisoned not more than five years or be both fined and imprisoned. For the purposes of this section, each instance of patient contact or consultation which is in violation of any provision of section 20-9, AS AMENDED BY SECTION 4 OF PUBLIC ACT 89-389, shall constitute a separate offense. Failure to renew a license in a timely manner shall not constitute a violation for the purposes of this section. Any person who swears to any falsehood in any statement required by section 20-10, [or] 20-12 OR SECTION 4 OR 5 OF THIS ACT to be filed with the department of health services shall be guilty of false statement.

Sec. 12. Section 20-14c of the general statutes, as amended by section 13 of public act 89-389, is repealed and the following is substituted in lieu thereof:

As used in this section and sections 20-14d to 20-14g, inclusive, AND SECTION 6 OF THIS ACT:

(1) "Dispense" means dispense as defined in subdivision (3) of section 21a-307.

(2) "Drug" means a legend drug as defined in section 20-184a or a controlled drug as defined in subdivision (8) of section 21a-240.

(3) "Licensed practitioner" means a physician, dentist, podiatrist, osteopath, PHYSICIAN ASSISTANT, advanced practice registered

nurse or nurse-midwife licensed by the state of Connecticut and authorized to prescribe medication within the scope of his practice.

(4) "Professional samples" means complimentary starter dose drugs packaged in accordance with federal and state statutes and regulations which are provided to a licensed practitioner free of charge by a manufacturer or distributor and distributed free of charge by the licensed practitioner to his patients.

Sec. 13. Subsection (a) of section 21a-250 of the general statutes is repealed and the following is substituted in lieu thereof:

(a) A pharmacist, in good faith, may sell and dispense controlled substances to any person upon a prescription of a physician or of an osteopath, dentist, podiatrist [or] veterinarian, PHYSICIAN ASSISTANT LICENSED PURSUANT TO SECTION 4 OF THIS ACT, ADVANCED PRACTICE REGISTERED NURSE, OR NURSE-MIDWIFE to the extent that they are authorized to prescribe such controlled substances. Except as otherwise provided by regulations adopted pursuant to section 21a-244, the person filling or refilling the prescription shall include the date of filling and his signature or initials on any prescription for controlled substances, and the prescription shall be retained on file by the proprietor of the pharmacy in which it is filled for a period of three years, so as to be readily accessible for inspection by any public officer or employee engaged in the enforcement of this chapter. The prescription shall not be filled or refilled unless permitted by federal food and drug laws, the Federal Controlled Substances Act, and regulations adopted under this chapter.

Sec. 14. Section 21a-252 of the general statutes, as amended by section 14 of public act 89-389, is repealed and the following is substituted in lieu thereof:

(a) A physician, in good faith and in the course of his professional practice only, may prescribe, administer and dispense controlled substances or he may cause the same to be administered by a physician assistant, nurse or intern under his direction and supervision, for demonstrable physical or mental disorders but not for drug dependence except in accordance with state and federal laws and regulations adopted thereunder.

(b) An osteopath, in good faith and in the course of his professional practice only, may prescribe, administer or dispense controlled substances or he may cause the same to be administered by a nurse under his direction and supervision, for relief of pain to the extent permitted by the Federal Controlled Substances Act

and state laws and regulations relating to osteopathy.

(c) A dentist, in good faith and in the course of his professional practice only, may prescribe, administer or dispense controlled substances or he may cause the same to be administered by a nurse under his direction and supervision, to the extent permitted by the Federal Controlled Substances Act, federal food and drug laws and state laws and regulations relating to dentistry.

(d) A podiatrist, in good faith and in the course of his professional practice only, may prescribe, administer and dispense controlled substances in schedules II, III, IV or V or he may cause the same to be administered by a nurse under his direction and supervision, to the extent permitted by the Federal Controlled Substances Act, the federal food and drug laws and state laws and regulations relating to podiatry.

(e) A veterinarian, in good faith in the course of his professional practice only, and not for use by a human being, may prescribe, administer and dispense controlled substances, and he may cause them to be administered by an assistant or orderly under his direction and supervision, to the extent permitted by the Federal Controlled Substances Act, the federal food and drug laws and state laws and regulations relating to veterinary medicine.

(f) An advanced practice registered nurse licensed pursuant to section 3 of [this act] PUBLIC ACT 89-389, in good faith and in the course of his professional practice only, may prescribe, dispense, and administer controlled substances in schedule II, III, IV or V or may cause the same to be administered by a registered nurse or licensed practical nurse under his direction and supervision, to the extent permitted by the federal controlled substances act, the federal food and drug laws and state laws and regulations relating to advanced nursing practice, [except that an advanced practice registered nurse licensed pursuant to section 3 of this act and maintaining current certification from the American Association of Nurse Anesthetists, in good faith and in the course of his professional practice only, may prescribe and administer controlled substances in schedules II, III, IV and V or may cause the same to be administered by a registered nurse or licensed practical nurse under his direction and supervision, to the extent permitted by such act, laws and regulations] PROVIDED IN ALL CASES WHERE AN ADVANCED PRACTICE REGISTERED NURSE PRESCRIBES A CONTROLLED SUBSTANCE IN SCHEDULE II OR III, THE PHYSICIAN UNDER WHOSE DIRECTION THE ADVANCED PRACTICE REGISTERED NURSE

IS PRESCRIBING SHALL CO-SIGN THE ORDER NOT LATER THAN TWENTY-FOUR HOURS THEREAFTER.

(g) A nurse-midwife licensed under chapter 377, in good faith and in the course of his professional practice only, may prescribe, dispense, and administer controlled substances in schedules II, III, IV and V or he may cause the same to be administered by a registered nurse or licensed practical nurse under his direction and supervision, to the extent permitted by the federal controlled substances act, the federal food and drug laws and state laws.

(h) A PHYSICIAN ASSISTANT LICENSED PURSUANT TO SECTION 4 OF THIS ACT, IN GOOD FAITH AND IN THE COURSE OF HIS PROFESSIONAL PRACTICE ONLY, MAY PRESCRIBE, DISPENSE, AND ADMINISTER CONTROLLED SUBSTANCES IN SCHEDULE II, III, IV OR V, OR MAY CAUSE THE SAME TO BE ADMINISTERED BY AN ADVANCED PRACTICE REGISTERED NURSE, REGISTERED NURSE, OR LICENSED PRACTICAL NURSE WHO IS ACTING UNDER A PHYSICIAN'S DIRECTION, TO THE EXTENT PERMITTED BY THE FEDERAL CONTROLLED SUBSTANCES ACT, THE FEDERAL FOOD AND DRUG LAWS AND STATE LAWS AND REGULATIONS RELATING TO PHYSICIAN ASSISTANT PRACTICE.

[ (h) ] (i) Any person who has obtained directly from a physician, osteopath, dentist, podiatrist, veterinarian, PHYSICIAN ASSISTANT, advanced practice registered nurse or nurse-midwife any controlled substance for administration to himself or to a patient during the absence of such physician, osteopath, dentist, podiatrist, veterinarian, PHYSICIAN ASSISTANT, advanced practice registered nurse or nurse-midwife shall return to such physician, osteopath, dentist, podiatrist, veterinarian, PHYSICIAN ASSISTANT, advanced practice registered nurse or nurse-midwife any unused portion of such controlled substance, when it is no longer required by him or the patient, or he may surrender such controlled substance to the commissioner of consumer protection for proper disposition.

Sec. 15. Section 21a-316 of the general statutes, as amended by section 15 of public act 89-389, is repealed and the following is substituted in lieu thereof:

As used in this chapter, "practitioner" means: (1) A physician, dentist, veterinarian, podiatrist, osteopath, PHYSICIAN ASSISTANT LICENSED PURSUANT TO SECTION 4 OF THIS ACT, advanced practice registered nurse as defined in subsection (b) of section 20-87a, as amended by section 1 of [this act] PUBLIC ACT 89-389, nurse-midwife, scientific investigator or other person licensed, registered or otherwise permitted to distribute, dispense, conduct research with respect to or to administer a controlled substance

in the course of professional practice or research in this state; (2) a hospital or other institution licensed, registered or otherwise permitted to distribute, dispense, conduct research with respect to or to administer a controlled substance in the course of professional practice or research in this state.

Sec. 16. Section 21a-327 of the general statutes, as amended by section 16 of public act 89-389, is repealed and the following is substituted in lieu thereof:

Nothing in this chapter shall be construed to include pharmacies or pharmacists licensed under chapter 382 [, physician assistants as defined in section 20-12a] or nurses licensed under chapter 378 who are not advanced practice registered nurses.

Sec. 17. Section 19a-88 of the general statutes, as amended by section 69 of public act 89-251 and section 17 of public act 89-389, is repealed and the following is substituted in lieu thereof:

(a) Each person holding a license to practice dentistry, optometry or dental hygiene shall, annually, during the month of his birth, register with the department of health services, upon a payment of a fee of four hundred fifty dollars in the case of a dentist, three hundred dollars in the case of an optometrist, and fifteen dollars in the case of a dental hygienist, on blanks to be furnished by the department for such purpose, giving his name in full, his residence and business address and such other information as the department requests.

(b) Each person holding a license to practice medicine, surgery, osteopathy, podiatry, chiropractic or natureopathy shall, annually, during the month of his birth, register with the department of health services, upon payment of a fee of four hundred fifty dollars, or, in the case of a podiatrist, one hundred fifty dollars; and in the case of an osteopath, chiropractor or natureopath, two hundred twenty-five dollars, and in the case of a physician licensed under chapter 370, except a homeopathic physician, four hundred fifty dollars, on blanks to be furnished by the department for such purpose, giving his name in full, his residence and business address and such other information as the department requests.

(c) (1) Each person holding a license to practice as a registered nurse, shall, annually, during the month of his birth, register with the department of health services, upon payment of a fee of thirty dollars, on blanks to be furnished by the department for such purpose, giving his name in full, his residence and business address and such other information as the department

requests.

(2) Each person holding a license as an advanced practice registered nurse shall, annually, during the month of his birth, register with the department of health services, upon payment of a fee of fifty dollars, on blanks to be furnished by the department for such purpose, giving his name in full, his residence and business address and such other information as the department requests. No such license shall be renewed unless the department is satisfied that the person maintains current certification as either a nurse practitioner, a clinical nurse specialist, or a nurse anesthetist from one of the following national certifying bodies which certify nurses in advanced practice: The American Nurses' Association, the Nurses' Association of the American College of Obstetricians and Gynecologists Certification Corporation, the National Board of Pediatric Nurse Practitioners and Associates, or the American Association of Nurse Anesthetists.

(3) Each person holding a license as a licensed practical nurse shall, annually, during the month of his birth, register with the department of health services, upon payment of a fee of fifteen dollars, on blanks to be furnished by the department for such purpose, giving his name in full, his residence and business address and such other information as the department requests.

(4) Each person holding a license as a nurse-midwife shall, annually, during the month of his birth, register with the department of health services, upon payment of a fee of fifty dollars, on blanks to be furnished by the department for such purpose, giving his name in full, his residence and business address and such other information as the department requests. No such license shall be renewed unless the department is satisfied that the person maintains current certification from the American College of Nurse-Midwives.

(5) Each person holding a license to practice physical therapy shall, annually, during the month of his birth, register with the department of health services, upon payment of a fee of fifty dollars, on blanks to be furnished by the department for such purpose, giving his name in full, his residence and business address and such other information as the department requests.

(6) EACH PERSON HOLDING A LICENSE AS A PHYSICIAN ASSISTANT SHALL, ANNUALLY, DURING THE MONTH OF HIS BIRTH, REGISTER WITH THE DEPARTMENT OF HEALTH SERVICES, UPON PAYMENT OF A FEE OF SEVENTY-FIVE DOLLARS, ON BLANKS TO BE FURNISHED BY THE DEPARTMENT FOR SUCH PURPOSE, GIVING HIS NAME

IN FULL, HIS RESIDENCE AND BUSINESS ADDRESS AND SUCH OTHER INFORMATION AS THE DEPARTMENT REQUESTS. NO SUCH LICENSE SHALL BE RENEWED UNLESS THE DEPARTMENT IS SATISFIED THAT THE PRACTITIONER HAS MET THE MANDATORY CONTINUING MEDICAL EDUCATION REQUIREMENTS OF THE NATIONAL COMMISSION FOR CURRENT CERTIFICATION BY SUCH COMMISSION AND HAS PASSED ANY EXAMINATION OR CONTINUED COMPETENCY ASSESSMENT THE PASSAGE OF WHICH MAY BE REQUIRED BY SUCH COMMISSION FOR MAINTENANCE OF CURRENT CERTIFICATION BY SUCH COMMISSION.

(d) No provision of this section shall be construed to apply to any person practicing Christian Science.

(e) Each person holding a license or certificate issued under section 19a-514 and chapters 370 to 373, inclusive, 375, 378 to 381, inclusive, 383 to 388, inclusive, 393a, 395, 398 or 399 shall, annually, during the month of his birth, apply for renewal of such license to the department of health services.

(f) Any person who fails to comply with the provisions of this section shall be notified by the department that his license or certificate shall become void ninety days after the time for its renewal under this section unless it is so renewed. Any such license shall become void upon the expiration of such ninety-day period.

Sec. 18. (NEW) (a) For purposes of sections 18 to 20, inclusive, of this act and section 20-9 of the general statutes, as amended by section 4 of public act 89-389 and section 2 of this act, "Perform athletic training" means to render services under any title or description of services incorporating the words athletic training or athletic trainer.

(b) Athletic training includes the application of principles, methods and procedures of evaluation and treatment of athletic injuries, preconditioning, conditioning and reconditioning of the athlete through the use of appropriate preventive and supportive devices, temporary splinting and bracing, physical modalities of heat, cold, massage, water, electric stimulation, sound, exercise and exercise equipment upon the referral or under the general direction of a licensed practitioner of the healing arts as defined in section 20-1 of the general statutes. Athletic training includes instruction to coaches, athletes, parents, medical personnel and communities in the area of care and prevention of athletic injuries.

Sec. 19. (NEW) (a) No person, except as provided in subsection (b) of this section, shall perform athletic training in this state unless he is currently certified as an athletic trainer by the National Athletic Trainers' Association, Inc.



Nothing in this section shall be construed to prohibit a student enrolled in a program in athletic training in a regionally accredited institution of higher education from performing such duties as are within his course of study. Nothing in this section shall be construed to prohibit a person fulfilling the internship requirement for certification by the National Athletic Trainers' Association, Inc. from performing such duties as are within his internship, provided he is functioning under the direct supervision of a person who is currently certified as an athletic trainer by the National Athletic Trainers' Association, Inc.

(b) The requirement for certification by the National Athletic Trainers' Association, Inc. shall not apply to a person who has been performing athletic training for at least fifteen years on October 1, 1990.

Sec. 20. (NEW) All persons who perform athletic training shall make a written or oral referral to a licensed practitioner of the healing arts of any athlete who has any physical or medical condition which would constitute a contraindication for athletic training or which may require evaluation or treatment beyond the scope of athletic training.

Sec. 21. (NEW) An advanced practice registered nurse licensed pursuant to section 3 of public act 89-389 and maintaining current certification from the American Association of Nurse Anesthetists may prescribe, dispense and administer drugs, including controlled substances in schedule II, III, IV, or V in any setting prescribed in subsection (b) of section 1 of public act 89-389 or prescribed under regulations adopted pursuant to section 6 of public act 89-389. An advanced practice registered nurse licensed pursuant to section 3 of public act 89-389 who does not maintain current certification from the American Association of Nurse Anesthetists may prescribe, dispense, and administer drugs, including controlled substances in schedule IV or V, in any setting prescribed in subsection (b) of section 1 of public act 89-389 or prescribed under regulations adopted pursuant to section 6 of public act 89-389, except that such an advanced practice registered nurse may also prescribe controlled substances in schedule II or III to an inpatient in a short-term hospital as defined in the regulations of Connecticut state agencies and licensed pursuant to subsection (a) of section 19a-491 of the general statutes, as amended by section 6 of public act 89-350, provided the physician under whose direction the advanced practice registered nurse is prescribing shall co-sign the order for a controlled substance in

schedule II or III not later than twenty-four hours thereafter.

Sec. 22. Section 2 of public act 89-91 is repealed and the following is substituted in lieu thereof:

Any person who is the subject of an investigation pursuant to subdivision (10) OR (11) of subsection (a) of section 19a-14 OR DISCIPLINARY ACTION PURSUANT TO SECTION 19a-17, while holding a professional license issued by the department of health services or having held such a license within eighteen months of the commencement of such investigation OR DISCIPLINARY ACTION shall be considered to hold a valid license for purposes of such investigation OR DISCIPLINARY ACTION.

Sec. 23. This act shall take effect October 1, 1990, except that sections 1 to 17, inclusive, shall take effect January 1, 1991.