The Commonwealth of Massachusetts
Department of Public Health
250 Washington Street, Boston, MA 02108-4619

CHARLES D. BAKER
Governor

KARYN E. POLITO
Lieutenant Governor

MARYLOU SUDDERS
Secretary

MONICA BHAREL, MD, MPH
Commissioner

Tel: 617-624-6000

ORDER OF THE COMMISSIONER OF PUBLIC HEALTH REGARDING THE FLEXIBLE REASSIGNMENT OF PHYSICIAN ASSISTANTS

On March 10, 2020, Governor Charles D. Baker declared a State of Emergency in the Commonwealth to respond to the spread of COVID-19. On March 11, 2020, in view of the grave threat that the spread of COVID-19 presents to the public health, the Public Health Council authorized and directed me to act pursuant to G. L. c. 17, § 2A and to take all appropriate actions, incur such liabilities, and establish such rules, requirements, and procedures necessary to prepare for, respond to, and mitigate the spread of COVID-19 in order to protect the health and welfare of the people of the Commonwealth.

As of March 17, 2020, 218 cases of COVID-19 were reported by the Department of Public Health, with 10 of the 14 counties in the Commonwealth impacted, and all indications are that the number of cases continues to grow. The escalating COVID-19 public health emergency has begun and will continue to produce an extraordinary demand on the Commonwealth's healthcare system. Addressing this exceptional demand will require a degree of flexibility and responsiveness in the staffing of medical facilities that certain, regular limitations on scope of practice do not permit.

Accordingly, pursuant to the authority granted by G. L. c. 17, § 2A and with the approval of the Governor and the Public Health Council, and in order to assure the maintenance of public health during the continuing public health emergency, I hereby issue the following Order:

Employers of physician assistants in good standing may designate a new supervising physician for any physician assistant as necessary to maximize health care provider availability and to respond to increased healthcare needs during the state of emergency.

A newly designated supervising physician and a re-assigned physician assistant are not required to prepare and sign prescriptive practice or scope of practice guidelines for a reassignment made under this Order; provided, that the employer maintains a record of the name and scope of practice of the supervising physician so designated, the supervising physician's assent to the supervisory role, and the dates during which the designation applies.

The prescriptive practice and scope of practice of the re-assigned physician assistant shall be within the competence of the physician assistant, as determined by the designated supervising physician and within the scope of services for which the designated supervising physician can provide adequate supervision to ensure that accepted standards of medical practice are followed.

For purposes of this Order "in good standing" shall include a license that is subject to probation or non-disciplinary conditions, but shall not include a license that is revoked, cancelled, surrendered, suspended, or subject to disciplinary restrictions.

All applicable statute, regulations and guidance not inconsistent with this Order remain in effect.

This Order is effective immediately and shall remain in effect until the State of Emergency is terminated by the Governor, or until rescinded by me, whichever shall happen first.

IT IS SO ORDERED.

Monica Bharel, MD, MPH
Commissioner, Massachusetts Department of Public Health

March 18, 2020