

**PROPOSED REGULATION OF THE  
BOARD OF MEDICAL EXAMINERS**

**LCB File No. R056-14**

June 6, 2014

EXPLANATION – Matter in *italics* is new; matter in brackets ~~omitted material~~ is material to be omitted.

AUTHORITY: §§1-3, NRS 630.130 and 630.138.

A REGULATION relating to medical assistants; authorizing a delegating practitioner to allow a medical assistant with certain credentials as an anesthesiologist assistant to administer certain anesthetic agents under certain circumstances; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Under existing regulations, a person who is licensed as a physician or physician assistant may delegate certain tasks to a medical assistant. (NAC 630.810) Such a physician or physician assistant, referred to as a delegating practitioner, is limited in the type of tasks that he or she may delegate to a medical assistant and may not allow a medical assistant to administer an anesthetic agent which renders a patient unconscious or semiconscious. (NAC 630.810, 630.830) This regulation newly authorizes a delegating practitioner, under certain circumstances, to allow a medical assistant to administer an anesthetic agent, including a controlled substance, which renders a patient unconscious or semiconscious. Specifically, the delegating practitioner may do so if: (1) the delegating practitioner is board certified or eligible for board certification in anesthesiology; (2) the medical assistant is a graduate of an accredited anesthesiologist assistant program and is certified as an anesthesiologist assistant; (3) the patient agrees in writing to allow the medical assistant to administer the anesthetic agent if the anesthetic agent is a controlled substance; and (4) the delegating practitioner, or a similarly qualified physician to whom the delegating practitioner has transferred supervision of the medical assistant, is immediately available to exercise oversight in person and, if necessary, treat or otherwise address the medical needs of the patient.

**Section 1.** NAC 630.810 is hereby amended to read as follows:

630.810 1. A delegating practitioner may delegate to a medical assistant the performance of a task if:

(a) The delegating practitioner knows that the medical assistant possesses the knowledge, skill and training to perform the task safely and properly;

(b) ~~The~~ *Except as otherwise provided in subsection 2 of NAC 630.830, the* medical assistant is not required to be certified or licensed to perform that task; and

(c) The medical assistant is employed by the delegating practitioner or the medical assistant and the delegating practitioner are employed by the same employer.

2. Except as otherwise provided in NAC 630.820, if a medical assistant is delegated a task which involves an invasive procedure, the delegating practitioner must be immediately available to exercise oversight in person while the medical assistant performs the task.

**Sec. 2.** NAC 630.820 is hereby amended to read as follows:

630.820 1. ~~The~~ *Except as otherwise provided in subsection 2 of NAC 630.830, a* delegating practitioner may supervise remotely a medical assistant to whom the practitioner has delegated the performance of a task if:

(a) The patient is located in a rural area;

(b) The delegating practitioner is physically located a significant distance from the location where the task is to be performed;

(c) The delegating practitioner determines that the exigent needs of the patient require immediate attention;

(d) The patient and the delegating practitioner previously established a practitioner-patient relationship; and

(e) The delegating practitioner is immediately available by telephone or other means of instant communication during the performance of the task by the medical assistant.

2. As used in this section, “rural area” means any area in this State other than Carson City or the City of Elko, Henderson, Reno, Sparks, Las Vegas or North Las Vegas.

**Sec. 3.** NAC 630.830 is hereby amended to read as follows:

630.830 **1.** A delegating practitioner retains responsibility for the safety and performance of each task which is delegated to a medical assistant. A delegating practitioner shall not:

~~1.~~ **(a)** Delegate a task that is not within the authority, training, expertise or normal scope of practice of the delegating practitioner;

~~2.~~ **(b)** Transfer to another physician or physician assistant the responsibility of supervising a medical assistant during the performance of a task unless the physician or physician assistant knowingly accepts that responsibility;

~~3.~~ **(c)** Authorize or allow a medical assistant to delegate the performance of a task delegated to the medical assistant to any other person; or

~~4.—Delegate~~

**(d)** *Except as otherwise provided in subsection 2, delegate* or otherwise allow a medical assistant to administer an anesthetic agent , *including, without limitation, a controlled substance*, which renders a patient unconscious or semiconscious.

**2.** *Except as otherwise prohibited by the administrative regulations that govern the place where the services are to be provided, a delegating practitioner may allow a medical assistant to administer an anesthetic agent, including a controlled substance, which renders a patient unconscious or semiconscious if:*

**(a)** *The delegating practitioner is a physician who is board certified or eligible for board certification in anesthesiology by the American Board of Anesthesiology or its successor organization;*

*(b) The medical assistant is:*

*(1) A graduate of an anesthesiologist assistant program that is accredited by the Commission on Accreditation of Allied Health Education Programs or its successor organization; and*

*(2) Certified as an anesthesiologist assistant by the National Commission for Certification of Anesthesiologist Assistants or its successor organization;*

*(c) Before the medical assistant administers to the patient any anesthetic agent that includes a controlled substance, the patient consents in writing, pursuant to subsection 6 of NRS 453.375, to allow the medical assistant to administer the anesthetic agent to the patient; and*

*(d) The delegating practitioner, or a physician to whom the delegating practitioner has transferred the responsibility of supervising the medical assistant pursuant to paragraph (b) of subsection 1 and who meets the requirements of paragraph (a) of this subsection, is immediately available during the administration of the anesthetic agent to exercise oversight in person and, if necessary, treat or otherwise address the medical needs of the patient.*