

Assembly Panel Passes Nurse Practitioner Scope-of-Practice Measure

Wednesday, August 14, 2013

On Tuesday, a California Assembly committee passed a bill ([SB 491](#)) that would seek to curb the state's physician shortage by allowing nurse practitioners to operate without physician supervision at certain medical facilities, the [Sacramento Bee](#) reports.

The panel passed the measure after significant changes were made to its language to appease physician lobbying groups, according to the *Bee* (Gutierrez, *Sacramento Bee*, 8/14).

Background on Physician Shortage

Only 16 of the state's 58 counties have the supply of physicians recommended by the federal government.

In addition, the Association of American Medical Colleges says that nearly 30% of California's doctors are nearing retirement age.

Meanwhile, the state is preparing to expand Medi-Cal and require most residents to have health insurance under the Affordable Care Act, which could exacerbate the shortage. Medi-Cal is California's Medicaid program.

In February, Sen. Ed Hernandez (D-West Covina) introduced a set of bills (SB 491, [SB 492](#) and [SB 493](#)) that, respectively, would expand the scope of practice for nurse practitioners, optometrists and pharmacists to address the physician shortage.

In May, the Senate passed SB 491 and SB 492 and sent the measures to the Assembly for consideration.

On Monday, Hernandez pulled SB 492 from consideration, saying the bill's supporters need more time to compromise with those who oppose it ([California Healthline](#), 8/13).

Passage of SB 491

The Assembly Committee on Business, Professions and Consumer Protection voted 8-3 to pass SB 491 (Mason, "[PolitiCal](#)," *Los Angeles Times*, 8/13).

To garner enough support for the bill, Hernandez removed language from the bill that would have granted nurse practitioners the authority to operate completely independent of doctor oversight after completing 6,240 hours of supervised work (*Sacramento Bee*, 8/14).

In addition, an amendment to the bill clarified that nurse practitioners cannot replace a physician or surgeon, requiring them instead to work in a "collaborative setting" (Sisson, [U-T San Diego](#), 8/13).

Hernandez said, "We heard thoughtful testimony ... and it was clear that members wanted to find common ground to help California bridge the provider gap and ensure that we all have access to quality health care."

The bill now moves to the Assembly Appropriations Committee.

AARP Rebukes Amendments

AARP, which had supported the measure, dropped its support following the changes.

The group said the amendments "will actually undermine the intent of the law" to expand health care access (*Sacramento Bee*, 8/14).

Opposition to SB 491 Continues

Despite the changes, some physician groups continue to oppose the measure.

[In a statement](#), the California Society of Anesthesiologists said the bill would "jeopardize patient safety and diminish the quality of care that Californians deserve." The group said it will continue efforts to defeat the measure (*U-T San Diego*, 8/13).

Paul Phinney -- president of the California Medical Association -- said that the bill would allow nurse practitioners to "practice without any supervision by a physician, despite the enormous differences in education and training between the two" and "to diagnose and treat patients beyond their capabilities and without any additional training."

Committee Passes SB 493

In related news, the Assembly Health Committee unanimously voted to advance SB 493, which would expand pharmacists' scope of practice.

The legislation would allow pharmacists to give immunizations and prescribe certain drugs.

The bill now moves to the Assembly Appropriations Committee ("PolitiCal," *Los Angeles Times*, 8/13).

<http://www.californiahealthline.org/articles/2013/8/14/assembly-panel-passes-nurse-practitioner-scope-of-practice-measure>