



AMERICAN ASSOCIATION
OF MEDICAL ASSISTANTS®

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Thank you for your inquiry concerning what tasks are delegable to medical assistants under Hawaii law.

Hawaii law gives physicians some discretion in determining what tasks can be delegated to unlicensed professionals such as medical assistants. Section 453-5.3 Physician assistant; licensure required, reads as follows:

(a) The board of medical examiners shall require each person practicing medicine under the supervision of a physician or osteopathic physician...to be licensed as a physician assistant. *A person who is trained to do only a limited number of diagnostic or therapeutic procedures under the direction of a physician or osteopathic physician shall not be deemed a practitioner of medicine or osteopathy and therefore does not require licensure under this section.* [Emphasis added.]

It is my legal opinion that this language permits physicians to delegate a reasonable scope of clinical and administrative tasks (including venipuncture/phlebotomy and administering intramuscular, intradermal, and subcutaneous injections [including vaccinations/immunizations]) to knowledgeable and competent unlicensed professionals such as medical assistants working under their direct authority in outpatient settings.

To my knowledge, there is nothing in Hawaii law that forbids physicians from delegating tasks to medical assistants through intermediary personnel such as physician assistants, nurse practitioners, registered nurses, or other individuals capable of undertaking subdelegatory responsibility.

Although the Hawaii Nurse Practice Act and the attendant regulations and policies of the Hawaii Board of Nursing govern what nursing tasks can be delegated by nurses to unlicensed professionals, the Hawaii Medical Practice Act and the attendant regulations and policies of the Hawaii Board of Medical Examiners govern what tasks can be delegated by physicians to medical assistants.

Tasks which constitute the practice of medicine, or are limited in state law to certain health care professionals, or which require the exercise of independent professional judgment or the making of clinical assessments, evaluations, or interpretations, however, may not be delegated to unlicensed professionals such as medical assistants.

I hope this information is helpful. Please do not hesitate to contact me if you have further questions or need additional assistance.

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