



AMERICAN ASSOCIATION
OF MEDICAL ASSISTANTS®

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

My research has not revealed any language in Delaware statutes or regulations that addresses specifically what tasks physicians are permitted to delegate to medical assistants. Nevertheless, it is my legal opinion that common law legal principles inherent in state licensure permit physicians to delegate a reasonable scope of clinical and administrative tasks (including venipuncture/phlebotomy and administering intramuscular, intradermal, and subcutaneous injections [including immunizations/vaccinations]) to knowledgeable and competent unlicensed professionals such as medical assistants working under their direct authority in outpatient settings. Tasks which constitute the practice of medicine, or which state law permits only certain other health care professionals to perform, or which require the exercise of independent professional judgment or the making of clinical assessments, evaluations, or interpretations, however, may not be delegated to medical assistants.

To my knowledge, there is nothing in Delaware law that forbids supervising 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 Delaware Nurse Practice Act and the attendant regulations and policies of the Delaware Board of Nursing govern what nursing tasks can be delegated by nurses to unlicensed professionals, the Delaware Medical Practice Act and the attendant regulations and policies of the Delaware Board of Medical Examiners govern what tasks can be delegated by physicians to health professionals working under their authority.

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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