

Thank you for your inquiry concerning what duties are delegable legally to medical assistants according to Kentucky law.

My research has not revealed any language in Kentucky statutes or regulations that addresses what physicians are permitted to delegate to unlicensed personnel such as medical assistants. Nevertheless, it is my legal opinion that common law principles authorize physicians to delegate a reasonable scope of clinical procedures (including venipuncture, oral administration of medication, and intramuscular, intradermal, and subcutaneous **injections** to competent and knowledgeable medical assistants working under their direct/onsite supervision in outpatient settings.

Note the following legal principles that are applicable under Kentucky law:

- It is not permissible for medical assistants to perform tasks that constitute the practice of medicine, or require the skill and knowledge of physicians or other licensed providers;
- It is not permissible for medical assistants to perform tasks that are restricted in state law to other health professionals—often licensed health professionals;
- It is not permissible for medical assistants to perform tasks that *require the exercise of independent clinical judgment, and/or the making of clinical assessments, evaluations, or interpretations*;
- Medical assistants must not be delegated (and must not perform) any tasks for which they are not sufficiently knowledgeable and competent.

I define **triage** as a communication process with a patient (or patient representative) during which a health care professional is required to exercise independent clinical judgment and/or to make clinical assessments or evaluations. It is my legal opinion that *it is not permissible* for medical assistants to be delegated triage (as I define the term). I define **non-triage communication** as a process during which a non-provider health care professional follows provider-approved protocols or decision trees in verbatim-receiving and verbatim-conveying of information. In non-triage communication, the health professional does *not* exercise independent clinical judgment. It is my legal opinion that *it is permissible* for knowledgeable and competent unlicensed professionals such as medical assistants to be delegated non-triage communication.

Very truly yours,



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