



AMERICAN ASSOCIATION
OF MEDICAL ASSISTANTS®

20 N. WACKER DR., STE. 1575
CHICAGO, ILLINOIS 60606

The Pennsylvania Medical Practice Act of 1985, Section 17, Delegation of duties to health care practitioner or technician, states the following:

- (a) General rule. A medical doctor may delegate to a health care practitioner or technician the performance of a medical service if:
 - (1) The delegation is consistent with the standards of acceptable medical practice embraced by the medical doctor community in this Commonwealth.
 - (2) The delegation is not prohibited by regulations promulgated by the board.
 - (3) The delegation is not prohibited by statutes or regulations relating to other licensed health care practitioners.
- (b) Regulations. The board may promulgate regulations which establish criteria pursuant to which a medical doctor may delegate the performance of medical services, preclude a medical doctor from delegating the performance of certain types of medical services or otherwise limit the ability of a medical doctor to delegate medical services.

I have also attached pertinent regulations from the Pennsylvania Board of Medical Examiners.

It is my legal opinion that this language permits physicians to delegate a reasonable scope of clinical and administrative tasks (including performing venipuncture; administering intramuscular, intradermal, and subcutaneous injections—including immunizations/vaccinations; measuring vital signs; recording patient histories; charting; verbatim transmitting of the physician's orders [as specifically directed by the physician]) to knowledgeable and competent unlicensed professionals such as medical assistants working under their direct/onsite supervision in outpatient settings as long as all the conditions delineated in 18.402 of the regulations of the Pennsylvania Board of Medical Examiners (attached) are satisfied.

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.



CMA (AAMA)® | SETS THE BAR FOR EXCELLENCE IN MEDICAL ASSISTING
TELEPHONE • 800/228-2262 | FAX • 312/899-1259 | WEBSITE • WWW.AAMA-NTL.ORG

To my knowledge, there is nothing in Pennsylvania law which forbids supervising physicians from delegating tasks to medical assistants through licensed professionals such as physician assistants, nurse practitioners, or registered nurses.

Tasks which constitute the practice of medicine, or which state law permits only certain health care professionals to perform, however, may not be delegated to unlicensed professionals such as medical assistants.



Donald A. Balasa, JD, MBA
CEO and Legal Counsel
dbalasa@aama-ntl.org