

Kansas Academy of Physician Assistants

Remarks Concerning House Bill No. 2516 Health Care Stabilization Fund Oversight Committee October 15, 2014

Members of the Health Care Stabilization Fund Oversight Committee:

Thank you for allowing the Kansas Academy of Physician Assistants (KAPA) to offer comments on House Bill No. 2516 passed by the 2014 legislature.

By way of background, KAPA serves as the official representative voice for the Physician Assistants (PAs) in Kansas. Our purpose is to enhance the quality of medical care of the citizens of Kansas by providing professional medical education to physician assistants, other health professionals, legislative and governing bodies and to the public. Kansas has 1,045 PAs licensed through the State Board of Healing Arts, more than 930 PAs maintain an active license with the Board.

The Kansas Academy of Physician Assistants supported House Bill No. 2516 and sought inclusion in the definition of “health care providers” used in the Health Care Stabilization Fund (KSA 40-3401(f)) thus qualifying for the excess medical liability insurance coverage provided by the Fund.

Since passage of House Bill No. 2516, we've been contacted by a number PAs around the area regarding the legislation with initial concerns and reservations, but once it was more clearly explained to them they all support the legislative changes. We think there was a lot of misunderstanding about a PA's malpractice coverage and exposure in lawsuits before this and then confusion about what it really meant when the statutory changes took place.

We did determine that an unintended consequence exists. House Bill No. 2516 provides that certain federal employees, providers of charitable care and inactive license holders are exempt from the insurance coverage requirements of the health care stabilization fund. However, there is concern that PAs providing charitable care at facilities that are not “federally qualified” or “federally designated” may not get the benefit of the exemption under the law. Therefore, KAPA will be proposing legislation in the 2015 session to create an “exempt license” for PAs, similar to the exempt license for physicians in the Healing Arts Act. Creation of this new license level will resolve any coverage concerns.

We have discussed this need of legislation with representatives of the Board of Healing Arts and Health Care Stabilization Fund and all parties are in agreement on the needed language. The requirement for PAs to have the coverage in place does not take effect until July 1, 2015, so there is ample time to get the exempt license provisions in place without adverse impact to PAs.

Thank you again for this opportunity to provide comments.

Sincerely,

Doug Smith
Executive Director