

### **311.850 Discipline of physician assistants.**

- (1) The board may revoke, suspend, deny, decline to renew, limit, or restrict the license of a physician assistant, or may fine, reprimand or place a physician assistant on probation for no more than five (5) years upon proof that a physician assistant has:
  - (a) Knowingly made or presented or caused to be made or presented any false, fraudulent, or forged statement, writing, certificate, diploma, or other document relating to an application for licensure;
  - (b) Practiced, aided, or abetted in the practice of fraud, forgery, deception, collusion, or conspiracy relating to an examination for licensure;
  - (c) Been convicted of a crime as defined in KRS 335B.010, if in accordance with KRS Chapter 335B;
  - (d) Been convicted of a misdemeanor offense under KRS Chapter 510 involving a patient or a felony offense under KRS Chapter 510, KRS 530.064, or 531.310, or has been found by the board to have had sexual contact, as defined in KRS 510.010, with a patient while the patient was under the care of the physician assistant or the physician assistant's supervising physician;
  - (e) Become addicted to a controlled substance, as defined in KRS 311.550(26);
  - (f) Become a chronic or persistent alcoholic, as defined in KRS 311.550(25);
  - (g) Been unable or is unable to practice medicine according to acceptable and prevailing standards of care by reason of mental or physical illness or other condition including but not limited to physical deterioration that adversely affects cognitive, motor, or perceptive skills, or by reason of an extended absence from the active practice of medicine;
  - (h) Knowingly made or caused to be made or aided or abetted in the making of a false statement in any document executed in connection with the practice of medicine or osteopathy;
  - (i) Performed any act or service as a physician assistant without a designated supervising physician;
  - (j) Exceeded the scope of medical services described by the supervising physician in the applications required under KRS 311.854;
  - (k) Exceeded the scope of practice for which the physician assistant was credentialed by the governing board of a hospital or licensed health care facility under KRS 311.856 and 311.858;
  - (l) Aided, assisted, or abetted the unlawful practice of medicine or osteopathy or any healing art, including the unlawful practice of physician assistants;
  - (m) Willfully violated a confidential communication;
  - (n) Performed the services of a physician assistant in an unprofessional, incompetent, or grossly or chronically negligent manner;
  - (o) Been removed, suspended, expelled, or placed on probation by any health care facility or professional society for unprofessional conduct, incompetence, negligence, or violation of any provision of this section or KRS 311.858 or 311.862;

- (p) Violated any applicable provision of administrative regulations relating to physician assistant practice;
  - (q) Violated any term of probation or other discipline imposed by the board;
  - (r) Failed to complete the required number of hours of approved continuing education; or
  - (s) Engaged in dishonorable, unethical, or unprofessional conduct of character likely to deceive, defraud, or harm the public or any member thereof, as described in KRS 311.597.
- (2) All disciplinary proceedings against a physician assistant shall be conducted in accordance with the provisions of KRS 311.591, 311.592, 311.593, 311.599, and KRS Chapter 13B and related administrative regulations promulgated under KRS Chapter 311.

**Effective:** July 15, 2020

**History:** Amended 2020 Ky. Acts ch. 39, sec. 3, effective July 15, 2020. -- Amended 2017 Ky. Acts ch. 158, sec. 51, effective June 29, 2017. -- Amended 2006 Ky. Acts ch. 78, sec. 7, effective July 12, 2006. -- Created 2002 Ky. Acts ch. 130, sec. 28, effective July 15, 2002.

**Legislative Research Commission Note (7/12/2006).** 2006 Ky. Acts ch. 78, sec. 11, provides: "A physician assistant who is certified in Kentucky and in good standing on the effective date of this Act [July 12, 2006] shall automatically be licensed under Sections 1 to 10 of this Act [KRS 311.840, 311.842, 311.844, 311.845, 311.846, 311.848, 311.850, 311.852, 311.856, and 311.862] and shall be issued a physician assistant license upon annual renewal."