

Assembly Bill No. 2919

CHAPTER 100

An act to amend Section 3209.10 of the Labor Code, relating to workers' compensation.

[Approved by Governor July 5, 2004. Filed with Secretary of State July 6, 2004.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2919, Ridley-Thomas. Workers' compensation: physician assistant: nurse practitioner.

Existing workers' compensation law generally requires employers to secure the payment of workers' compensation, including medical treatment, for injuries incurred by their employees that arise out of, or in the course of, employment. Existing law, until January 1, 2006, authorizes medical treatment of a work-related injury to be provided by a state licensed physician assistant or nurse practitioner, acting under the review or supervision of a physician and surgeon pursuant to standardized procedures or protocols within their lawfully authorized scope of practice.

This bill would eliminate the January 1, 2006, repeal date thereby extending the operation of this provision indefinitely.

The people of the State of California do enact as follows:

SECTION 1. Section 3209.10 of the Labor Code is amended to read:

3209.10. (a) Medical treatment of a work-related injury required to cure or relieve the effects of the injury may be provided by a state licensed physician assistant or nurse practitioner, acting under the review or supervision of a physician and surgeon pursuant to standardized procedures or protocols within their lawfully authorized scope of practice. The reviewing or supervising physician and surgeon of the physician assistant or nurse practitioner shall be deemed to be the treating physician. For the purposes of this section, "medical treatment" includes the authority of the nurse practitioner or physician assistant to authorize the patient to receive time off from work for a period not to exceed three calendar days if that authority is included in a standardized procedure or protocol approved by the supervising physician. The nurse practitioner or physician assistant may cosign the Doctor's First Report of Occupational Injury or Illness. The treating physician shall make any determination of temporary disability and shall sign the report.



(b) The provision of subdivision (a) that requires the cosignature of the treating physician applies to this section only and it is not the intent of the Legislature that the requirement apply to any other section of law or to any other statute or regulation. Nothing in this section implies that a nurse practitioner or physician assistant is a physician as defined in Section 3209.3.

