

MEDICAL BOARD OF CALIFORNIA



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Medical Assistants: Laws, Regulations, & Scope of Practice



PERTINENT LAWS AND REGULATIONS

- ▶ Business and Professions Code
Sections 2069 – 2071
- ▶ California Code of Regulations,
Title 16, Sections 1366 – 1366.4



PERTINENT LAWS AND REGULATIONS

► Definition:

- Medical assistants are unlicensed individuals, who are at least 18 years old, who, after appropriate training, perform non-invasive, routine, technical support services under the specific authorization and supervision of a licensed physician, podiatrist, physician assistant, nurse practitioner, or nurse midwife in a medical office or clinic setting. The supervisor must be on the premises in order for the medical assistant to perform non-invasive technical support services.



PERTINENT LAWS AND REGULATIONS

► Definition:

- “Specific authorization” means a specific written order prepared by the supervising physician, podiatrist, physician assistant, nurse practitioner, or nurse midwife authorizing the procedures to be performed on a patient, which shall be placed in the patient’s medical record; or a standing order prepared by the supervisor authorizing procedures to be performed. A notation of the standing order shall be placed in the patient’s medical record.



TRAINING

▶ PATHWAYS FOR TRAINING:

1. On-The-Job Training Received Under:

- a licensed physician or podiatrist, who shall ascertain the proficiency of the medical assistant; or
- a registered nurse, licensed vocational nurse, physician assistant, or a qualified medical assistant acting under the direction of a licensed physician or podiatrist who shall be responsible for determining the content of the training and proficiency of the medical assistant.

NOTE: Training to administer medication by inhalation shall be provided by a licensed respiratory care practitioner.



TRAINING

NOTE: The employer must maintain a certification (documented record, in writing) showing all training received, the content and duration of the training, and that requisite competence was demonstrated by the medical assistant. The physician, podiatrist or instructor must sign and date the certification.



TRAINING

Definition of Qualified Medical Assistant:

- Is certified by a medical assistant certifying organization approved by the Board;
- Holds a credential to teach in a medical assistant training program at a community college; or
- Is authorized to teach medical assistants in a private postsecondary institution accredited by an accreditation agency recognized by the United States Department of Health or approved by the Bureau for Private Postsecondary Education.



TRAINING

2. Training received from:

- A secondary, postsecondary, or adult education program in a public school authorized by the Department of Education;
- A community college program provided for in Part 48 of Division 7 of the Education Code; or
- A postsecondary institution accredited by an accreditation agency recognized by the United States Department of Education or approved by the Bureau for Private Postsecondary Education.



SCOPE OF PRACTICE

► General Guidelines:

- Medical assistants may not diagnose, treat or perform any task that is invasive or requires an assessment.
- It is illegal to use medical assistants to replace highly-trained licensed professionals.
- Medical assistants are there to assist and perform support services that are routinely done in the physician's office appropriate with their training, which cannot be compared to licensed nurses or other health professionals who must meet rigorous educational and examination requirements.



SCOPE OF PRACTICE

▶ Medical Assistants Can (not all inclusive):

- Administer medication orally, sublingually, topically, vaginally or rectally, or by intramuscular, subcutaneous and intradermal injection (injections require additional training).
- Provide a single dose to the patient for immediate self-administration.

➔ NOTE: The physician or authorized supervisor must verify the correct medication and dosage and authorize the administration. The physician or authorized supervisor must be physically present in the treatment facility when the drug is administered.



SCOPE OF PRACTICE

- ▶ Medical Assistants Can (not all inclusive):
 - Call in refills to a pharmacy under direct supervision. The refill must be documented in the patient's chart as a standing order and be patient specific.
 - Collect and record patient data such as temperature, blood pressure, pulse, respiration rate, height and weight, and basic information about presenting and previous conditions.



SCOPE OF PRACTICE

- ▶ Medical Assistants Can (not all inclusive):
 - Measure and describe skin test reaction and make a record in the patient's chart. All results need to be reported to the appropriate provider.
 - Perform electrocardiogram, electroencephalogram, or plethysmography tests, except full body plethysmography.
 - Perform spirometric pulmonary function testing (spirometry).
 - Remove sutures or staples from superficial incisions or lacerations.



SCOPE OF PRACTICE

- ▶ Medical Assistants Can (not all inclusive):
 - Apply and remove bandages and dressings to superficial incisions or lacerations; apply orthopedic appliances such as knee immobilizers, envelope slings, orthotics, and similar devices; remove casts, splints and other external devices; obtain impressions for orthotics, padding and custom-molded shoes; select and adjust crutches to patient; and instruct patient in proper use of crutches.
 - Perform ear lavage to remove impacted cerumen.



SCOPE OF PRACTICE

- ▶ Medical Assistants Can (not all inclusive):
 - Perform hearing tests under direct supervision.
 - Collect, by non-invasive techniques, and preserve specimens for testing, including urine, sputum, semen and stool.
 - Swab the throat in order to preserve the specimen in a throat culture.
 - Assist patients in ambulation and transfers.



SCOPE OF PRACTICE

- ▶ Medical Assistants Can (not all inclusive):
 - Prepare patients for and assist the physician, podiatrist, physician assistant or registered nurse in examinations or procedures including positioning, draping, shaving and disinfecting treatment sites; and prepare patients for gait analysis testing.
 - Provide patients with information and instructions.
 - Perform simple laboratory and screening tests customarily performed in a medical office.



SCOPE OF PRACTICE

- ▶ Medical Assistants Can (not all inclusive):
 - Cut the nails of otherwise healthy patients.
 - Administer first aid or cardiopulmonary resuscitation in an emergency.
 - Administer flu shots, allergy shots, and other vaccines, and narcotic injections EXCEPT anesthetic agents.
 - Draw blood for tests, including “finger sticks” and venipuncture (requires additional training).



SCOPE OF PRACTICE

- ▶ Medical Assistants Can (not all inclusive):
 - Administer medication by inhalation (requires additional training).
 - Perform nasal smears if the procedure is limited to the opening of the nasal cavity.
 - Under supervision of a physician or optometrist, may perform simple non-invasive testing of visual acuity, pupils and ocular motility; automated visual field testing; ophthalmic photography and digital imaging; tonometry; lensometry; and non-subjective refraction.



SCOPE OF PRACTICE

- ▶ Medical Assistants Can (not all inclusive):
 - Under supervision of a physician or optometrist, may administer cycloplegiacs, mydratics and topical anesthetics that are not controlled substances for ophthalmic purposes; and perform pachymetry, keratometry, A scans, B scans and electrodiagnostic testing.
 - In certain settings, hand patients properly-labeled and pre-packaged prescription drugs (excluding controlled substances) that have been ordered by a physician, podiatrist, physician assistant, nurse practitioner, or nurse midwife (prescriber must verify it is the correct medication and it must contain the



SCOPE OF PRACTICE

- ▶ Medical Assistants Can (not all inclusive):
 - Administer oxygen to a patient via mask or nasal cannula.
 - Administer allergy skin tests.
 - Administer fetal non-stress tests.



SCOPE OF PRACTICE

- ▶ Medical Assistants **Cannot** (not all inclusive):
 - Place a needle or start or disconnect the infusion tube of an IV.
 - Administer medications or injections into the IV line.
 - Calculate a new serum dilution.
 - Chart pupillary responses.
 - Conduct a subjective refraction of a person's eyes.
 - Insert or remove urine catheters.
 - Obtain urine samples from indwelling urinary catheters.



SCOPE OF PRACTICE

- ▶ Medical Assistants **Cannot** (not all inclusive):
 - Perform telephone triage.
 - Inject collagen or Botox.
 - Use lasers, intense light devices, or radiofrequency devices for any reason.
 - Perform chemical peels or microdermabrasion.
 - Administer chemotherapy.
 - Apply orthopedic splints.
 - Interpret results of skin tests, spirometric pulmonary function testing (spirometry), lab tests or pregnancy tests.



SCOPE OF PRACTICE

- ▶ Medical Assistants Cannot (not all inclusive):
 - Cauterize a wound.
 - Perform a wound check or assess the site or make any determination about the wound.
 - Perform debridement or removal of eschar in wound care.
 - Administer any kind of anesthetic agent, including topical lidocaine gel. Pre-draw and mix lidocaine and other anesthetics.



SCOPE OF PRACTICE

- ▶ Medical Assistants Cannot (not all inclusive):
 - Mix or compound any medications. (Except to reconstitute a medication by mixing with sterile water or other inert ingredient).
 - Suture.
 - Collect nasopharyngeal swabs.
 - Apply an Unna boot.
 - Determine that a test is required.
 - Perform sclerotherapy.

RESOURCES & INFORMATION



→ Medical Board Website:
www.mbc.ca.gov

→ FAQs

→ Specific Laws and
Regulations



Any questions?

