

**Medical Board of California Advisory Committee on Physician Responsibility  
in the Supervision of Affiliated Health Care Professionals**

DATE: April 12, 2010  
 SUBJECT: Work statement defining goals and work of Committee, and timeline  
 STAFF: Janie Cordray

The following draft work statement is provided to the members for discussion. Staff would ask members to consider the goals of the Committee, and adopt a statement to articulate the work to be performed. In addition, it would be helpful to establish a timeline for the work to be accomplished, as well as possible meeting dates.

DRAFT WORK STATEMENT:

The Advisory Committee was established to study the responsibility of physicians in the supervision of allied health professionals delegated to perform procedures. The committee will seek to address:

- Delegation of procedures: under what circumstances is it appropriate to delegate their performance?
- Assessment of skill before delegation: what is the physician's responsibility to assess the skill level of the allied health professional prior to the procedure's performance?
- Availability and accessibility of physicians supervising (location, electronic communication, telemedicine, etc.).
- Delegation of decision-making authority: is it appropriate to delegate to non-physician practitioners the selection of patients and procedures, and, if so, under what circumstances?
- Evaluation of performance through non-direct supervision: what is necessary for the evaluation of practitioners' performance, ability, skill, judgment, etc.?
- Physician's responsibility in emergencies: what should be required for emergency plans and protocols?
- Informed consent: what should be required for delegated procedures, and, is it appropriate for allied health professionals to provide informed consent to patients?
- Advertising: what is required by law, and what common practices may be misleading?

The Committee will study the above issues to ascertain what actions should be taken to ensure responsible supervision. The goal of the Committee is to determine what regulatory, legislative, or enforcement actions need to be taken to ensure patient safety.

The above will be discussed at the April 29<sup>th</sup> meeting of the Committee. In the meantime, if you have any questions or suggestions, feel free to contact me at 916-263-2389, or by e-mail at [janie.cordray@mbc.ca.gov](mailto:janie.cordray@mbc.ca.gov).

**Example: Priorities/Goals/Work & Timelines:**

Priority	Subject/Goal	Work:	Personnel/Participants	Meeting Activities & Dates:
1	Availability of physician supervisor to ensure patient safety	<p>Identify what must be required to ensure patient safety, including location of supervisor, the use of telemedicine or electronic communication.</p> <p>Determine if what is required for patient safety should be addressed in: 1) regulations; 2) legislation; 3) enforcement, or; 4) educational activities.</p>	<p>Janie Cordray, staff</p> <p>DCA Legal Counsels representing Medical Board and Nursing Boards.</p> <p>Representative of appropriate specialty societies and professional associations.</p>	<p><u>July 28, 2010 (4 hours):</u> First meeting of Committee on this subject.</p> <p>Committee presented with current laws and regulations and presentations are made by relevant stakeholders and participants. Discussion and identification of minimum standards.</p> <p><u>November 3, 2010 (1hour):</u> Staff presents options and recommendations on what is needed to address the minimum standards identified and Committee deliberates. After deliberations, if a consensus is reached, Committee adopts a recommendation that will be presented to the full Board.</p> <p><u>November 4, 2010:</u> Committee's recommendation is presented to the full Board.</p>
2	The physician's assessment of allied staff's skill to perform delegated tasks to ensure sufficient ability for safe performance.	<p>Identify what must be required of physicians to evaluate staff's skill and ability to perform delegated procedures. Determine the minimum requirements for evaluation before delegation.</p> <p>Determine if what is required for patient safety should be addressed in: 1) regulations; 2) legislation; 3) enforcement, or; 4) educational activities.</p>	<p>Candis Cohen, staff</p> <p>DCA Legal Counsel and DAG</p> <p>Representatives of malpractice carriers</p> <p>Representatives of appropriate specialty societies and professional associations.</p>	<p><u>November 3, 2010 (1 hour):</u> Committee is presented with current laws, regulations, and enforcement activities, and hears comments or presentations by relevant stakeholders and participants. Discussion and identification of minimum standards.</p> <p><u>February 15, 2011 (2 hours):</u> Staff presents options and recommendations on what is needed to address the minimum standards identified and Committee deliberates. After deliberations, if a consensus is reached, Committee adopts a recommendation that will be presented to the full Board.</p> <p><u>February 28, 2011:</u> Committee's recommendation is presented to the full Board.</p>
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