

MEDICAL BOARD OF CALIFORNIA

Medical Assistants



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Medical Assistants

PERTINENT LAWS AND REGULATIONS

Business and Professions Code
Sections 2069 - 2071

California Code of Regulations
Title 16, Sections 1366 – 1366.4



What are Medical Assistants?

▶ Medical assistants are:

- **unlicensed** individuals who are at least 18 years old
- who 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.
- B&P § 2069(b)(1)



Supervision

- ▶ The supervisor must be physically on the premises while the medical assistant is performing the authorized procedures.

- B&P § 2069(b)(3)



Specific Authorization

▶ Specific authorization means

- A specific written order prepared by the supervisor;
- 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.

- B&P § 2069(b)(2)



Pathways for Training

▶ TWO PATHWAYS FOR TRAINING:

1. On-The-Job Training
2. Formal Education Program



- 16 CCR § 1366.3



On-The-Job Training

On-The-Job Training Received Under:

- A licensed physician or podiatrist, who shall ascertain the proficiency of the medical assistant; or
- The following individuals 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:
 - a registered nurse;
 - licensed vocational nurse;
 - physician assistant; or
 - a qualified medical assistant.*
 - 16 CCR § 1366.3(a)(1)



On-The-Job Training (Cont.)

- ▶ NOTE: Training to administer medication by inhalation shall be provided by a licensed physician or respiratory care practitioner.
 - 16 CCR § 1366.3(a)(1)



On-The-Job Training (Cont.)

- ▶ The physician or podiatrist shall certify in writing:
 - the place and date of training;
 - the content and duration of training; and that
 - the medical assistant was observed by the physician or podiatrist to demonstrate competence in the performance of each task or service.
- ▶ The physician or podiatrist shall sign the certification.



▪ 16 CCR § 1366.3(b)

Training – Bonus Information

- ▶ More than one task or service may be certified in a single document.
- ▶ Separate certifications shall be made for subsequent training in additional tasks or services.



▪ 16 CCR § 1366.3(b)

Formal Education Program

FORMAL EDUCATION PROGRAM

- Training administered by an approved program or institution
 - 16 CCR § 1366.3(a)(2)
- The instructor shall certify in writing:
 - the place, date, content and duration of training;
 - the medical assistant was observed by the instructor to demonstrate competence in the performance of each task or service.
- The instructor shall sign the certification.
 - 16 CCR § 1366.3(b)



Both Training Pathways

▶ Venipuncture, Injections, and Inhalation of Medication

- Training shall include no less than:
 - 10 hours of training in administering injections and performing skin tests;
 - 10 clock hours of training in venipuncture and skin puncture for the purpose of withdrawing blood; and
 - Satisfactory performance by the trainee of at least 10 each of intramuscular, subcutaneous, and intradermal injections and 10 skin tests, and/or at least 10 venipunctures and 10 skin punctures.
- 16 CCR §§1366(b)(1) and 1366.1



Both Training Pathways (Cont.)

▶ Training for venipuncture, Injections, and Inhalation of medication shall include instruction and demonstration in:

1. Pertinent anatomy and physiology appropriate to the procedures;
2. Choice of equipment;
3. Proper technique, including sterile technique;
4. Hazards and complications;
5. Patient care following treatment or test;
6. Emergency procedures; and
7. California law and regulations for medical assistants.



▪ 16 CCR § 1366.1(e)

Both Training Pathways (Cont.)

▶ Infection Control

- All medical assistants must receive training in the CDC's "Guidelines for Infection Control in Hospital Personnel," and shall demonstrate to the satisfaction of the supervising physician, podiatrist, or instructor that he or she understands the purposes and techniques of infection control.



▪ 16 CCR § 1366.4

Scope of Practice

▶ Technical Supportive Services

- Simple routine medical tasks that may be safely performed by a medical assistant who has limited training and who functions under the supervision of a physician, podiatrist, PA, NP or CNM. B&P § 2069(b)(4)(A).
- Tasks must be a usual and customary part of the medical or podiatric practice where the medical assistant is employed. 16 CCR § 1366(a)(1).
- May not penetrate human tissues except as authorized under B&P § 2069 for intradermal, subcutaneous, or intramuscular injections, or to perform skin tests. B&P § 2069(a)(1); 16 CCR § 1366(b)(2).



May not interpret test findings or results. 16 CCR § 1366(b)(2).

Scope of Practice - Allowed

▶ Medical Assistants **Can** (not all inclusive):

- Administer medication orally, sublingually, topically, vaginally or rectally;
- NOTE: The physician, podiatrist, or other authorized licensed person, must verify the correct medication and dosage and authorize the administration.

- 16 CCR § 1366(b)(1)

- REMINDER: The physician, podiatrist, or other authorized licensed person, must be physically present in the treatment facility when the drug is administered.



Scope of Practice – Allowed (Cont.)

- ▶ Medical Assistants **Can** (not all inclusive):
 - Collect and record patient data, and basic information about presenting and previous conditions.
 - Prepare patients for procedures, including position, draping, shaving, and disinfecting.
 - Provide patient information and instructions.
 - Collect specimens by non-invasive techniques for testing.

▪ 16 CCR § 1366(b)



Scope of Practice – Allowed (Cont.)

- ▶ Medical Assistants **Can** (not all inclusive):
 - Apply and remove bandages and dressings to superficial incisions or lacerations.
 - Remove casts, splints and other external devices.
 - Obtain impressions for orthotics, padding and custom-molded shoes.
 - Perform ear lavage to remove impacted cerumen.
 - Cut the nails of otherwise healthy patients.

16 CCR § 1366(b)



Additional Supportive Services

- ▶ Training to Perform Additional Technical Supportive Services. 16 CCR § 1366.2
 - These tasks, though not specifically identified in statutes or regulations, have been determined to be within the medical assistant's scope of practice.
 - Administer oxygen to a patient via mask or nasal cannula pursuant to supervisor's instructions.
 - Administer fetal non-stress tests.
 - Perform spirometric pulmonary function testing (spirometry). 98 Ops.Cal.Atty.Gen. 74



Scope of Practice – Disallowed

- ▶ Medical Assistants
Cannot (not all inclusive):
 - Determine that a test is required.
 - Make a diagnosis.
 - Interpret results of skin tests, lab tests, etc.
 - Perform invasive procedures or tests not authorized by statute or regulation.



Scope of Practice – Disallowed (Cont.)

▶ Medical Assistants

Cannot (not all inclusive):

- Administer any kind of anesthetic agent, including topical lidocaine gel.
 - B&P § 2069(c)(2) and 16 CCR § 1366(b)(1).
 - (Except topical anesthetics that are not controlled substances for ophthalmic purposes under B&P § 2544(a)(9)).



Resources Available

Medical Board Website:
www.mbc.ca.gov

- ▶ Specific Laws and Regulations
- ▶ FAQs
- ▶ Newsletter Articles



Questions?

