

## Compliance Today – March 2018

### Physician supervision of assistants: What must be countersigned?

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Does each entry by a physician assistant (PA) need to be countersigned by the supervising physician? The answer is, yes and no! In this article, I will discuss the research challenges I encountered when I attempted to answer that question for a health information management director in Pennsylvania. I stated that the answer may be yes and no, because there may be state regulations that modify the findings for this question or, to further complicate answering this simple question, there may be federal regulations that preempt the state regulations. So, let's discuss the first challenge.

#### What is a record?

The first challenge I encountered was the use of the term “record.” Some regulations referred to the supervising physician's responsibility to sign the record. However, nothing I found helped me determine if “record” meant “each entry.” Signing a record, from a health information management perspective, means a “one-time” event. However, one could interpret “record” as each recording of an event (i.e., each entry). The effort of signing each entry is substantially different for the supervising physician.

#### Finding the rules

Some states may have separate legislation that does not appear in the regulations that govern physician assistants (PAs). For Pennsylvania, the Pennsylvania Medical Practice Act<sup>[1]</sup> and the Osteopathic Medical Practice Act<sup>[2]</sup> include a limited period during which the supervising physician must review and countersign physician assistant entries. However, if I had not found these Acts, I would have relied on the Pennsylvania Code, Subchapter D, which has no “probationary period,” for lack of a better term.

The Pennsylvania Code, Chapter 18<sup>[3]</sup> states that the supervising physician shall monitor and supervise the activities of the physician assistant and review documentation prepared by the physician assistant (emphasis added). Additionally, the Code states the supervising physician shall countersign the patient record completed by the physician assistant within a reasonable amount of time. This time period may not exceed 10 days. As mentioned above, I found no definition of “record” in the regulations and the phrasing of this regulation may imply a one-time signature of the entire record. From an accrediting or auditing perspective, however, I would question how the supervising physician can prove they reviewed the documentation if they do not countersign each entry.

In short, digging into your state regulations will require you to also look elsewhere for refined regulatory expectations. A good source for that “hidden” information is your state society for physician assistants.

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