

**HOUSE OF REPRESENTATIVES  
FINAL BILL ANALYSIS**

**BILL #:** HB 4007

**FINAL HOUSE FLOOR ACTION:**

**SPONSOR(S):** Pigman; Campbell

115 Y's                      0 N's

**COMPANION SB 238  
BILLS:**

**GOVERNOR'S ACTION:** Approved

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**SUMMARY ANALYSIS**

HB 4007 passed the House on March 2, 2016, as SB 238.

Section 458.3485(3), F.S., currently states that medical assistants may be certified by the American Association of Medical Assistants or as a Registered Medical Assistant by the American Medical Technologists. There are other organizations that certify medical assistants which are not specified in statute. However, there is no statutory requirement that such practitioners be licensed, registered, certified, or otherwise regulated by a state agency.

The bill repeals s. 458.3485(3), F.S., pertaining to the permissive certification of medical assistants. Because certification is not required, this bill has no effect on the regulation of medical assistants.

The bill has no fiscal impact on state or local government.

The bill was approved by the Governor on March 23, 2016, ch. 2016-67, L.O.F., and will become effective on July 1, 2016.

## I. SUBSTANTIVE INFORMATION

### A. EFFECT OF CHANGES:

#### Present Situation

##### Medical Assistants

Section 458.3485, F.S., defines a medical assistant as a professional, multi-skilled person dedicated to assisting in all aspects of medical practice under the direct supervision and responsibility of a physician. A medical assistant assists with patient care management, executes administrative and clinical procedures, and often performs managerial and supervisory functions. Competence in the field requires that a medical assistant adhere to ethical and legal standards of professional practice, recognize and respond to emergencies, and demonstrate professional characteristics.<sup>1</sup>

Subsection 458.3485(2), F.S., lists the following duties that a medical assistant may perform under the direct supervision of a licensed physician:<sup>2</sup>

- Clinical procedures, including:
  - Aseptic procedures
  - Taking vital signs
  - Preparing patients for the physician's care
  - Performing venipunctures and nonintravenous injections
  - Observing and reporting patients' signs or symptoms;
- Basic first aid;
- Assisting with patient examinations or treatments;
- Operating office medical equipment;
- Collecting routine laboratory specimens as directed by the physician;
- Administering medication as directed by the physician;
- Performing basic laboratory procedures;
- Performing office procedures including all general administrative duties required by the physician; and
- Performing dialysis procedures, including home dialysis.

According to the United States Department of Labor, Bureau of Labor Statistics, there were approximately 40,770 medical assistants employed in Florida in 2014.<sup>3</sup> This figure is projected to increase to 49,866 by the year 2022.<sup>4</sup> Overwhelmingly, medical assistants find employment within the offices of physicians, health care practitioners, or medical and surgical hospitals.<sup>5</sup> By the year 2024, job growth in this occupation is expected to increase 23.5 percent nationally.<sup>6</sup>

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<sup>1</sup> Section 458.3485, F.S.

<sup>2</sup> Section 458.3485(2), F.S.

<sup>3</sup> United States Dept. of Labor, Bureau of Labor Statistics, Occupational Employment and Wages, May 2014 (31-9092 Medical Assistants), available at <http://www.bls.gov/oes/current/oes319092.htm> (last visited Mar. 4, 2016).

<sup>4</sup> Florida Dept. of Economic Opportunity. Florida Jobs by Occupation. *Florida Department of Economic Opportunity*. Retrieved from <http://www.floridajobs.org/labor-market-information/data-center/statistical-programs/employment-projections> (last visited Mar. 4, 2016).

<sup>5</sup> *Supra*, FN 3.

<sup>6</sup> United States Department of Labor, Bureau of Labor Statistics, *Employment Projections (2014-2024)*, available at <http://data.bls.gov/projections/occupationProj> (last visited Mar. 4, 2016).

## Certification of Medical Assistants

The Florida Department of Health does not license, register, certify, or otherwise regulate medical assistants.<sup>7</sup> However, under s. 458.3485(3), F.S., a medical assistant may be certified by the American Association of Medical Assistants or as a Registered Medical Assistant by the American Medical Technologists. There are other organizations that certify medical assistants; however, these and other organizations are not specified in statute. The specific inclusion of two organizations but not others may give the appearance that the specified organizations are state-sanctioned.

Although medical assistants are not required to be certified in Florida, employers prefer to hire certified assistants.<sup>8</sup> The National Commission for Certifying Agencies, part of the Institute for Credentialing Excellence, accredits the following certification programs for medical assistants:<sup>9</sup>

- Certified Medical Assistant (CMA) from the American Association of Medical Assistants;
- Registered Medical Assistant (RMA) from American Medical Technologists;
- National Certified Medical Assistant (NCMA) from the National Center for Competency Testing; and
- Certified Clinical Medical Assistant (CCMA) from the National Healthcareer Association.

### *The American Association of Medical Assistants (AAMA)*

To be eligible for the AAMA certification examination, applicants must be one of the following:

- A completing student<sup>10</sup> or recent graduate<sup>11</sup> of a medical assisting program accredited by the Commission on Accreditation of Allied Health Education Programs (CAAHEP) or the Accrediting Bureau of Health Education Schools (ABHES);
- A non-recent graduate of a CAAHEP or ABHES accredited medical assisting program; or
- An AAMA re-certificant.<sup>12</sup>

An accredited medical assisting program includes academic and clinical training in areas such as human anatomy, physiology, and pathology; medical terminology, record keeping and accounting; laboratory techniques; pharmacology; first aid; office practices and patient relations; and medical law and ethics. A practicum or an unpaid, supervised on-site work experience in an ambulatory health care setting is also a required component of the certification process.<sup>13</sup>

Certifications are current for 60 months and may be re-certified through either re-examination or by continuing education. Expired certifications greater than 60 months may only be re-certified through examination.<sup>14</sup>

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<sup>7</sup> Florida Dept. of Health, 2016 Agency Legislative Bill Analysis, HB 4007, September 4, 2015 (on file with committee staff).

<sup>8</sup> Bureau of Labor Statistics, U.S. Department of Labor, *Occupational Outlook Handbook, 2014-15 Edition*, Medical Assistants, on the Internet at <http://www.bls.gov/ooh/healthcare/medical-assistants.htm> (last visited Mar. 4, 2016).

<sup>9</sup> *Id.*

<sup>10</sup> A completing student may take the exam no more than 30 days prior to completing their formal education and practicum.

<sup>11</sup> Recent graduates are defined by the AAMA as those students who apply for the exam within 12 months of graduation.

<sup>12</sup> American Association of Medical Assistants, *Exam Eligibility Requirements*, available at <http://www.aama-ntl.org/cma-aama-exam/application-steps/eligibility> (last visited Mar. 4, 2016).

<sup>13</sup> American Association of Medical Assistants, *CAAHEP and ABHEP Accredited Programs*, available at <http://www.aama-ntl.org/medical-assisting/caahep-abhes-programs#.VINcok3ouUk> (last visited Mar. 4, 2016).

<sup>14</sup> American Medical Technologies, *Recertification Policies*, available at <http://www.aama-ntl.org/continuing-education/recertification-policies#.VINjxk3ouUk> (last visited Mar. 4, 2016).

## *The American Medical Technologists (AMT)*

The AMT is accredited by the National Commission for Certifying Agencies (NCCA) through April 2018. In its 2012-13 Annual Report, the AMT reported certification of 38,518 members as RMAs.<sup>15</sup>

RMA applicants must meet one of the following five eligibility routes, with applicants applying under Routes 1, 2, 3 or 4 required to pass the AMT certification examination:<sup>16</sup>

- Route 1: An applicant must be a recent graduate of, or be scheduled to graduate from, an accredited medical assisting program with a minimum of 720 clock hours, including 160 hours of clinical externship within the four years prior to application for certification. An applicant whose date of graduation is four years or more prior to the date of their application must provide evidence of relevant work experience for at least three of the last five years.
- Route 2: An applicant must be a recent graduate of, or be scheduled to graduate from, a formal medical services training program of the U.S. Armed Forces within the four years prior to application. An applicant whose date of graduation is four years or more prior to the date of their application must provide evidence of relevant work experience for at least three of the last five years.
- Route 3: An applicant must have been employed as a medical assistant for a minimum of five out of the last seven years, no more than two of which have been as an instructor in a post-secondary medical assistant program. Work experience must include both clinical and administrative duties, and proof of high school graduation is required.
- Route 4: An applicant must be currently employed as an instructor in an accredited medical assisting program, has completed a course of instruction in a healthcare discipline related to medical assisting, and has a minimum of five years of full-time teaching experience in a medical assisting discipline that includes both clinical and administrative competencies. An applicant who has less than five years' teaching experience, but more than one year, must provide documentation of at least three years of full-time clinical work experience in a healthcare profession in which the scope of practice is equal to the medical assisting scope of practice.
- Route 5: An applicant must have passed another certification examination that has been approved by the AMT Board of Directors and have met one of the above eligibility routes.

### *Other Medical Assistant Certifying Organizations*

At least two other organizations certify medical assistants, the National Healthcareer Association and the National Center for Competency Testing. The National Healthcareer Association allows individuals who have graduated high school and completed either a training program or possess relevant work experience, to take the certification examination for a Clinical Medical Assistant.<sup>17</sup>

The National Center for Competency Testing (NCCT) is also accredited by the NCCA and to be eligible for the NCCT exam, applicants must meet one of the following:<sup>18</sup>

- Current student, or a graduate of a medical assistant program from an NCCT authorized school within the past five years;
- Two years of verifiable full-time experience as a medical assistant practitioner within the past five years; or

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<sup>15</sup> American Medical Technologies, 2012-13 Annual Report, p. 4, available at [http://www.americanmedtech.org/Portals/0/PDF/AMTIE-About%20Us/About%20Us/AMT\\_2013AnnualRpt\\_web.pdf](http://www.americanmedtech.org/Portals/0/PDF/AMTIE-About%20Us/About%20Us/AMT_2013AnnualRpt_web.pdf) (last visited Mar. 4, 2016).

<sup>16</sup> American Medical Technologists, RMA Eligibility, Medical Assistant, available at <http://www.americanmedtech.org/GetCertified/RMAEligibility.aspx> (last visited Mar. 4, 2016).

<sup>17</sup> National Healthcareer Association Candidate Handbook, p. 8, available at <http://www.nhanow.com/docs/default-source/pdfs/handbooks/nha-candidate-handbook.pdf?sfvrsn=2> (last visited Mar. 4, 2016).

<sup>18</sup> National Center for Competency Testing, Medical Assistant (NCMA), available at <https://www.ncctinc.com/Certifications/MA.aspx> (last visited Mar. 4, 2016).

- Completion of medical assistant training or its equivalent during U.S. military service within the past five years.

### **Effect of Proposed Changes**

The bill repeals s. 458.3485(3), F.S., which authorizes the American Association of Medical Assistants and the American Medical Technologists to certify medical assistants. Removing this authorization, which permits but does not require certification of medical assistants by particular entities, has no effect on the regulation of medical assistants.

The bill provides an effective date of July 1, 2016.

## **II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT**

### **A. FISCAL IMPACT ON STATE GOVERNMENT:**

1. Revenues:

None.

2. Expenditures:

None.

### **B. FISCAL IMPACT ON LOCAL GOVERNMENTS:**

1. Revenues:

None.

2. Expenditures:

None.

### **C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:**

None.

### **D. FISCAL COMMENTS:**

None.