



AMERICAN ASSOCIATION
OF MEDICAL ASSISTANTS®

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Thank you for your inquiry concerning what tasks are delegable legally to medical assistants according to Louisiana law.

My research has uncovered the following language in the Louisiana Physician Assistants Practice Act, Section 37:1360.38(B), which reads as follows:

Nothing herein shall prohibit or limit the authority of physicians to employ auxiliary personnel not recognized under this part.

Note also the following statement from the Louisiana Board of Medical Examiners (July 18, 2012):

As the individual in question is unlicensed in any category of allied health care that would allow the administration of drugs or immunizations under the scope of his or her own license, the activities you describe necessarily constitute the practice of medicine¹ as defined by the Louisiana Medical Practice Act, Ls. Rev. Stat. §37.1262(1). It has been the long-standing opinion of the Board that delegated activities, individual in this state who functions solely under a Louisiana licensed physician's direction and immediate personal supervision—i.e., where the physician is physically present in the office or suite at all times that an unlicensed assistant is providing the service and retains full responsibility to patients for the training, delivery and results of all services rendered. An unlicensed individual filling such a position could not—and may not be permitted under any circumstances—to act independently of a licensed physician or exercise independent medical judgment in selecting or administering drugs or immunizations. If an unlicensed individual acts beyond this scope he or she (and perhaps the physician as well) would be in violation of the Louisiana Medical Practice Act.

It is my legal opinion that this language authorizes physicians to delegate a reasonable scope of clinical and administrative tasks (such as intramuscular, intradermal, and subcutaneous injections [including immunizations/vaccinations], relaying verbatim the orders of the delegating/overseeing physician, and venipuncture/phlebotomy) to knowledgeable and competent unlicensed professionals such as medical assistants working under their direct/onsite supervision in outpatient settings.

To my knowledge, there is nothing in Louisiana law that forbids supervising physicians from delegating tasks to medical assistants through intermediary personnel such as physician assistants, nurse practitioners, or registered nurses.

Although the LA Nurse Practice Act and the attendant regulations and policies of the Louisiana Board of Nursing govern what nursing tasks can be delegated by nurses to unlicensed personnel, the LA Medical Practice Act and the attendant regulations and policies of the LA Board of Medi-



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cal Examiners govern what tasks can be delegated by physicians to unlicensed professionals such as medical assistants working under their supervision in outpatient settings.

Tasks which constitute the practice of medicine, or which state law permits only certain health care professionals to perform, or which require the exercise of independent professional judgment, or the making of clinical assessments, evaluations, or interpretations, however, may not be delegated to unlicensed personnel such as medical assistants.

I hope this is helpful. Please let me know whether you have any questions.



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