



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:
Delegation March 15, 2010

It has long been the position of the Board that the practice of medicine as defined by the Louisiana Medical Practice Act, La. Rev. Stat. §37:1262(1) may only be undertaken or performed in this state by a Louisiana licensed physician or an unlicensed individual who functions solely under a licensed physician's direction and immediate personal supervision-i.e., where the physician is physically present in the office or suite where the procedure is being performed at all times that the unlicensed assistant is on duty (irrespective of the employee's level of training or experience) and retains full responsibility to the patients for the training, delivery and results of all services rendered.

An individual filling such a position could not-and may not be permitted to under any circumstances-act independently of a licensed physician or to exercise independent medical judgment in starting, selecting or implementing modalities of treatment. If an unlicensed person acts beyond this scope he or she would be in violation of the Louisiana Medical Practice Act. A physician enabling such activity would be in violation of the Act as well. Citations at www.lsbme.la.gov

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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