Medical assistants continue to be in high demand throughout the United States. Medical assisting scope of practice is determined primarily by state law. This paper will explain the scope of practice for medical assistants under Illinois law.

As is the case under the laws of many states, Illinois law does not refer to “medical assistants” by name. Medical assistants are classified as “unlicensed personnel” or “other personnel” under Illinois law. Physicians, registered professional nurses, advanced practice nurses (including nurse practitioners), and physician assistants are permitted under Illinois law to delegate certain tasks to unlicensed professionals such as medical assistants as long as the provisions of the law are followed.

**Illinois Medical Practice Act—delegation by physicians**

(225 ILCS 60/54.2)

Sec. 54.2. Physician delegation of authority.

(a) Nothing in this Act shall be construed to limit the delegation of patient care tasks or duties by a physician, to a licensed practical nurse, a registered professional nurse, or other licensed person practicing within the scope of his or her individual licensing Act. Delegation by a physician licensed to practice medicine in all its branches to physician assistants or advanced practice registered nurses is also addressed in Section 54.5 of this Act. No physician may delegate any patient care task or duty that is statutorily or by rule mandated to be performed by a physician.

(b) In an office or practice setting and within a physician-patient relationship, a physician may delegate patient care tasks or duties to an unlicensed person [such as a medical assistant] who possesses appropriate training and experience provided a health care professional, who is practicing within the scope of such licensed professional’s individual licensing Act, is on site to provide assistance.

(f) Nothing in this Act shall be construed to limit the method of delegation that may be authorized by any means, including, but not limited to, oral, written, electronic, standing orders, protocols, guidelines, or verbal orders.

(Source: P.A. 100-513, eff. 1-1-18.)

**Illinois Nurse Practice Act—delegation by RNs and APNs (including nurse practitioners)**

(225 ILCS 65/65-30)

Sec. 65-30. APN [Advanced Practice Nurse] scope of practice……

(c) The scope of practice of an advanced practice nurse includes, but is not limited to, each of the following:…

(7) Delegating selected nursing activities or tasks to a licensed practical nurse, a registered professional nurse, or other personnel [such as medical assistants].

……

(225 ILCS 65/50-75)

Sec. 50-75. Nursing delegation by a registered professional nurse.
(a) For the purposes of this Section:
"Delegation" means transferring to a specific individual the authority to perform a specific nursing intervention in a specific situation.
"Predictability of outcomes" means that a registered professional nurse or advanced practice registered nurse has determined that the patient's or individual's clinical status is stable and expected to improve or the patient's or individual's deteriorating condition is expected to follow a known or expected course.
"Stability" means a registered professional nurse or advanced practice registered nurse has determined that the individual's clinical status and nursing care needs are consistent.

(b) This Section authorizes a registered professional nurse or advanced practice registered nurse to:
(1) delegate nursing interventions to other registered professional nurses, licensed practical nurses, and other unlicensed personnel [such as medical assistants] based on the comprehensive nursing assessment that includes, but is not limited to:
   (A) the stability and condition of the patient;
   (B) the potential for harm;
   (C) the complexity of the nursing intervention to be delegated;
   (D) the predictability of outcomes; and
   (E) competency of the individual to whom the nursing intervention is delegated;
(2) delegate medication administration to other licensed nurses;

Illinois Physician Assistant Law—delegation by physician assistants
Section 1350.90—Scope and Function
a) A physician assistant may provide medical/surgical services delegated to him/her by the collaborating physicians when those services are within his/her education, training and experience and within the current scope of practice of the collaborating physician and are provided under the collaboration and direction of the collaborating physician.

It is my legal opinion that this section of the Illinois law permits physician assistants to delegate to unlicensed persons [such as medical assistants] to the extent that such delegation is authorized by the collaborating physician.

Making scope of service/practice determinations
1. To formulate a legal opinion on whether a particular task is delegable to medical assistants when state law does not address the legality or when state law is ambiguous, I often begin my analysis by evaluating whether the task is usually and customarily delegated to medical assistants in the state and in other states. I also determine whether the task is contained in the Core Curriculum of the current CAAHEP Standards and Guidelines for the Accreditation of Educational Programs in Medical Assisting. (The Core Curriculum of the CAAHEP Standards takes into account the results of the most recent occupational analysis of the medical assisting profession.)
2. It may be prudent to ask the malpractice insurance carrier for the practice/clinic/health system whether it would cover any negligence by a medical assistant in performing certain tasks. The insurance carrier should be asked to put its opinion in writing.