



South Carolina
Department of Labor, Licensing and Regulation



Board of Medical Examiners

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The South Carolina Board of Medical Examiners has received an increasing number of reports detailing unforeseeable impacts related to legislation passed in 2022 pertaining to delegation of tasks to medical assistants. This legislation is codified at South Carolina Code 40-47-20(57), and defines the educational and certification criteria that a medical assistant must meet in order for physicians, PAs, and APRNs to delegate tasks to these medical assistants. These unforeseen impacts are surfacing more frequently now because the legislation provided a two-year grace period for medical assistants certified prior to the new law to comply with the new educational requirements. This deadline is quickly approaching (July 2024).

Stakeholders, including educational institutions, practitioners, hospital systems, certifying agencies, and medical assistants have expressed concerns regarding the difficulty or outright impossibility of medical assistants being able to meet the requirements of the statute and the effects it is having, or will soon have, on staffing and patient care being provided by practitioners who routinely delegate tasks to qualified medical assistants.

The Board encourages medical assistants to continue to obtain the education and certification required by the statute but also recognizes that other education (below) is capable of producing medical assistants qualified for certification by the entities identified in the statute or those approved by the Board.¹

The Board has been made aware that efforts are underway to amend the current law to expand the permissible education for medical assistants to include the following: a Career & Technical Education or South Carolina Vocational Public School Health Sciences Program approved by the South Carolina Department of Education, a medical assisting program provided by a branch of the United States military, a medical assisting U.S. Department of Labor-approved Registered Apprenticeship program, or a training program that is delivered by a healthcare employer that meets the course requirements outlined by statute and aligns to a nationally accredited certification exam.²

Upon researching this issue, the Board believes each of these pathways is equivalent to, and can serve as the vehicle through which, the education currently required by the statute can be obtained

¹ A certified medical assistant must maintain current certification from the certifying board of the American Association of Medical Assistants, the National Center for Competency Testing, the National Certification Medical Association, American Medical Technologists, the National Healthcareer Association or any other recognized certifying body approved by the Board of Medical Examiners.

² The Board is aware that this list could be altered or amended in any future legislation.

and that medical assistants with these alternative educational backgrounds, *who are certified*, are qualified to perform delegated tasks in accordance with the statute while also providing safe and competent care to the public. South Carolina Code § 40-47-196 governing what tasks may be appropriately delegated to medical assistants with certification remains in place and deviations from those tasks could result in an investigation or discipline action.

The Board will consider the practitioners' efforts to meet these requirements in any proceedings while the amendment moves through the legislative process.