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LEGISLATIVE ACTION

Senate

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House

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Floor: WD

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05/02/2014 04:43 PM

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Senator Sobel moved the following:

1 **Senate Substitute for Amendment (764744) (with title**
2 **amendment)**

3
4 Between lines 2694 and 2695
5 insert:

6 Section 48. Subsection (3), paragraph (e) of subsection
7 (4), and paragraphs (a), (c), and (e) of subsection (7) of
8 section 458.347, Florida Statutes, are amended to read:

9 458.347 Physician assistants.—

10 (3) PERFORMANCE OF SUPERVISING PHYSICIAN.—Each physician or
11 group of physicians supervising a licensed physician assistant



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12 must be qualified in the medical areas in which the physician
13 assistant is to perform and shall be individually or
14 collectively responsible and liable for the performance and the
15 acts and omissions of the physician assistant. A physician may
16 not supervise more than six ~~four~~ currently licensed physician
17 assistants at any one time. A physician supervising a physician
18 assistant pursuant to this section may not be required to review
19 and cosign charts or medical records prepared by such physician
20 assistant. Notwithstanding this subsection, a physician may only
21 supervise up to four physician assistants in medical offices
22 other than the physician's primary practice location pursuant to
23 s. 458.348(4)(c).

24 (4) PERFORMANCE OF PHYSICIAN ASSISTANTS.—

25 (e) A supervisory physician may delegate to a fully
26 licensed physician assistant the authority to prescribe or
27 dispense any medication used in the supervisory physician's
28 practice unless such medication is listed on the formulary
29 created pursuant to paragraph (f). A fully licensed physician
30 assistant may only prescribe or dispense such medication under
31 the following circumstances:

32 1. A physician assistant must clearly identify to the
33 patient that he or she is a physician assistant. Furthermore,
34 the physician assistant must inform the patient that the patient
35 has the right to see the physician prior to any prescription
36 being prescribed or dispensed by the physician assistant.

37 2. The supervisory physician must notify the department of
38 his or her intent to delegate, on a department-approved form,
39 before delegating such authority and notify the department of
40 any change in prescriptive privileges of the physician



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41 assistant. Authority to dispense may be delegated only by a
42 supervising physician who is registered as a dispensing
43 practitioner in compliance with s. 465.0276.

44 3. The physician assistant must certify to file with the
45 department ~~a signed affidavit~~ that he or she has completed a
46 minimum of 10 continuing medical education hours in the
47 specialty practice in which the physician assistant has
48 prescriptive privileges with each licensure renewal application.

49 4. The department may issue a prescriber number to the
50 physician assistant granting authority for the prescribing of
51 medicinal drugs authorized within this paragraph upon completion
52 of the foregoing requirements. The physician assistant shall not
53 be required to independently register pursuant to s. 465.0276.

54 5. The prescription may ~~must~~ be written or electronic, but
55 must be in a form that complies with ss. 456.0392(1) and
56 456.42(1) ~~chapter 499~~ and must contain, in addition to the
57 supervisory physician's name, address, and telephone number, the
58 physician assistant's prescriber number. Unless it is a drug or
59 drug sample dispensed by the physician assistant, the
60 prescription must be filled in a pharmacy permitted under
61 chapter 465 and must be dispensed in that pharmacy by a
62 pharmacist licensed under chapter 465. The appearance of the
63 prescriber number creates a presumption that the physician
64 assistant is authorized to prescribe the medicinal drug and the
65 prescription is valid.

66 6. The physician assistant must note the prescription or
67 dispensing of medication in the appropriate medical record.

68 (7) PHYSICIAN ASSISTANT LICENSURE.—

69 (a) Any person desiring to be licensed as a physician



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70 assistant must apply to the department. The department shall
71 issue a license to any person certified by the council as having
72 met the following requirements:

73 1. Is at least 18 years of age.

74 2. Has satisfactorily passed a proficiency examination by
75 an acceptable score established by the National Commission on
76 Certification of Physician Assistants. If an applicant does not
77 hold a current certificate issued by the National Commission on
78 Certification of Physician Assistants and has not actively
79 practiced as a physician assistant within the immediately
80 preceding 4 years, the applicant must retake and successfully
81 complete the entry-level examination of the National Commission
82 on Certification of Physician Assistants to be eligible for
83 licensure.

84 3. Has completed the application form and remitted an
85 application fee not to exceed \$300 as set by the boards. An
86 application for licensure made by a physician assistant must
87 include:

88 a. A certificate of completion of a physician assistant
89 training program specified in subsection (6).

90 b. A ~~sworn~~ statement of any prior felony convictions.

91 c. A ~~sworn~~ statement of any previous revocation or denial
92 of licensure or certification in any state.

93 ~~d. Two letters of recommendation.~~

94 ~~d.e.~~ A copy of course transcripts and a copy of the course
95 description from a physician assistant training program
96 describing course content in pharmacotherapy, if the applicant
97 wishes to apply for prescribing authority. These documents must
98 meet the evidence requirements for prescribing authority.



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99 e. For physician assistants seeking initial licensure on or
100 after January 1, 2015, fingerprints pursuant to s. 456.0135.

101 (c) The license must be renewed biennially. Each renewal
102 must include:

103 1. A renewal fee not to exceed \$500 as set by the boards.

104 2. A ~~sworn~~ statement of no felony convictions in the
105 previous 2 years.

106 (e) Upon employment as a physician assistant, a licensed
107 physician assistant must notify the department in writing within
108 30 days after such employment and provide ~~or after any~~
109 ~~subsequent changes in the supervising physician. The~~
110 ~~notification must include~~ the full name, Florida medical license
111 number, specialty, and address of a designated ~~the~~ supervising
112 physician. Any subsequent change in the designated supervising
113 physician shall be reported to the department within 30 days
114 after the change. Assignment of a designated supervising
115 physician does not preclude a physician assistant from
116 practicing under multiple supervising physicians.

117 Section 49. Subsection (3), paragraph (e) of subsection
118 (4), and paragraphs (a), (b), and (d) of subsection (7) of
119 section 459.022, Florida Statutes, are amended to read:

120 459.022 Physician assistants.—

121 (3) PERFORMANCE OF SUPERVISING PHYSICIAN.—Each physician or
122 group of physicians supervising a licensed physician assistant
123 must be qualified in the medical areas in which the physician
124 assistant is to perform and shall be individually or
125 collectively responsible and liable for the performance and the
126 acts and omissions of the physician assistant. A physician may
127 not supervise more than six ~~four~~ currently licensed physician



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128 assistants at any one time. A physician supervising a physician
129 assistant pursuant to this section may not be required to review
130 and cosign charts or medical records prepared by such physician
131 assistant. Notwithstanding this subsection, a physician may only
132 supervise up to four physician assistants in medical offices
133 other than the physician's primary practice location pursuant to
134 s. 459.025(3)(c).

135 (4) PERFORMANCE OF PHYSICIAN ASSISTANTS.—

136 (e) A supervisory physician may delegate to a fully
137 licensed physician assistant the authority to prescribe or
138 dispense any medication used in the supervisory physician's
139 practice unless such medication is listed on the formulary
140 created pursuant to s. 458.347. A fully licensed physician
141 assistant may only prescribe or dispense such medication under
142 the following circumstances:

143 1. A physician assistant must clearly identify to the
144 patient that she or he is a physician assistant. Furthermore,
145 the physician assistant must inform the patient that the patient
146 has the right to see the physician prior to any prescription
147 being prescribed or dispensed by the physician assistant.

148 2. The supervisory physician must notify the department of
149 her or his intent to delegate, on a department-approved form,
150 before delegating such authority and notify the department of
151 any change in prescriptive privileges of the physician
152 assistant. Authority to dispense may be delegated only by a
153 supervisory physician who is registered as a dispensing
154 practitioner in compliance with s. 465.0276.

155 3. The physician assistant must certify to ~~file with~~ the
156 department ~~a signed affidavit~~ that she or he has completed a



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157 minimum of 10 continuing medical education hours in the
158 specialty practice in which the physician assistant has
159 prescriptive privileges with each licensure renewal application.

160 4. The department may issue a prescriber number to the
161 physician assistant granting authority for the prescribing of
162 medicinal drugs authorized within this paragraph upon completion
163 of the foregoing requirements. The physician assistant shall not
164 be required to independently register pursuant to s. 465.0276.

165 5. The prescription may ~~must~~ be written or electronic, but
166 must be in a form that complies with ss. 456.0392(1) and
167 456.42(1) ~~chapter 499~~ and must contain, in addition to the
168 supervisory physician's name, address, and telephone number, the
169 physician assistant's prescriber number. Unless it is a drug or
170 drug sample dispensed by the physician assistant, the
171 prescription must be filled in a pharmacy permitted under
172 chapter 465, and must be dispensed in that pharmacy by a
173 pharmacist licensed under chapter 465. The appearance of the
174 prescriber number creates a presumption that the physician
175 assistant is authorized to prescribe the medicinal drug and the
176 prescription is valid.

177 6. The physician assistant must note the prescription or
178 dispensing of medication in the appropriate medical record.

179 (7) PHYSICIAN ASSISTANT LICENSURE.—

180 (a) Any person desiring to be licensed as a physician
181 assistant must apply to the department. The department shall
182 issue a license to any person certified by the council as having
183 met the following requirements:

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186 an acceptable score established by the National Commission on
187 Certification of Physician Assistants. If an applicant does not
188 hold a current certificate issued by the National Commission on
189 Certification of Physician Assistants and has not actively
190 practiced as a physician assistant within the immediately
191 preceding 4 years, the applicant must retake and successfully
192 complete the entry-level examination of the National Commission
193 on Certification of Physician Assistants to be eligible for
194 licensure.

195 3. Has completed the application form and remitted an
196 application fee not to exceed \$300 as set by the boards. An
197 application for licensure made by a physician assistant must
198 include:

199 a. A certificate of completion of a physician assistant
200 training program specified in subsection (6).

201 b. A ~~sworn~~ statement of any prior felony convictions.

202 c. A ~~sworn~~ statement of any previous revocation or denial
203 of licensure or certification in any state.

204 ~~d. Two letters of recommendation.~~

205 ~~d.e.~~ A copy of course transcripts and a copy of the course
206 description from a physician assistant training program
207 describing course content in pharmacotherapy, if the applicant
208 wishes to apply for prescribing authority. These documents must
209 meet the evidence requirements for prescribing authority.

210 e. For physician assistants seeking initial licensure on or
211 after January 1, 2015, fingerprints pursuant to s. 456.0135.

212 (b) The licensure must be renewed biennially. Each renewal
213 must include:

214 1. A renewal fee not to exceed \$500 as set by the boards.



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215 2. A ~~sworn~~ statement of no felony convictions in the
216 previous 2 years.

217 (d) Upon employment as a physician assistant, a licensed
218 physician assistant must notify the department in writing within
219 30 days after such employment and provide ~~or after any~~
220 ~~subsequent changes in the supervising physician. The~~
221 ~~notification must include~~ the full name, Florida medical license
222 number, specialty, and address of a designated ~~the~~ supervising
223 physician. Any subsequent change in the designated supervising
224 physician shall be reported to the department within 30 days
225 after the change. Assignment of a designated supervising
226 physician does not preclude a physician assistant from
227 practicing under multiple supervising physicians.

228
229 ===== T I T L E A M E N D M E N T =====

230 And the title is amended as follows:

231 Delete line 292

232 and insert:

233 home health agencies; amending ss. 458.347 and
234 459.022, F.S.; increasing the number of licensed
235 physician assistants that a physician may supervise at
236 any one time; providing an exception; revising
237 circumstances under which a physician assistant is
238 authorized to prescribe or dispense medication;
239 revising requirements for medications prescribed or
240 dispensed by physician assistants; revising
241 application requirements for licensure as a physician
242 assistant and license renewal; providing effective
243 dates.