

Amendment No. 1 (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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ORIGINAL STAMP BELOW

11 The Committee on Health Care Licensing & Regulation offered
12 the following:

14 **Amendment (with title amendment)**

15 Remove from the bill: Everything after the enacting clause
16
17 and insert in lieu thereof:

18 Section 1. Subsection (1) of section 39.304, Florida
19 Statutes, 1998 Supplement, is amended to read:

20 39.304 Photographs, medical examinations, X rays, and
21 medical treatment of abused, abandoned, or neglected child.--

22 (1) Any person required to investigate cases of
23 suspected child abuse, abandonment, or neglect may take or
24 cause to be taken photographs of the areas of trauma visible
25 on a child who is the subject of a report. If the areas of
26 trauma visible on a child indicate a need for a medical
27 examination, or if the child verbally complains or otherwise
28 exhibits distress as a result of injury through suspected
29 child abuse, abandonment, or neglect, or is alleged to have
30 been sexually abused, the person required to investigate may
31 cause the child to be referred for diagnosis to a licensed

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1 physician or an emergency department in a hospital without the
2 consent of the child's parents, caregiver, or legal custodian.
3 Such an examination may be performed by an advanced registered
4 nurse practitioner licensed under ~~pursuant to~~ chapter 464 or a
5 physician assistant licensed under chapter 458 or chapter 459.
6 Any licensed physician, physician assistant licensed under
7 chapter 458 or chapter 459, or advanced registered nurse
8 practitioner licensed under ~~pursuant to~~ chapter 464, who has
9 reasonable cause to suspect that an injury was the result of
10 child abuse, abandonment, or neglect may authorize a
11 radiological examination to be performed on the child without
12 the consent of the child's parent, caregiver, or legal
13 custodian.

14 Section 2. Paragraph (f) of subsection (4) of section
15 458.347, Florida Statutes, 1998 Supplement, is amended to
16 read:

17 458.347 Physician assistants.--

18 (4) PERFORMANCE OF PHYSICIAN ASSISTANTS.--

19 (f)1. There is created a five-member committee
20 appointed by the Secretary of Health. The committee must be
21 composed of one fully licensed physician assistant licensed
22 under ~~pursuant to~~ this section or s. 459.022, two physicians
23 licensed under ~~pursuant to~~ this chapter, one of whom
24 supervises a fully licensed physician assistant, one
25 osteopathic physician licensed under ~~pursuant to~~ chapter 459,
26 and one pharmacist licensed under ~~pursuant to~~ chapter 465 who
27 is not licensed under ~~pursuant to~~ this chapter or chapter 459.
28 All members of the formulary committee shall be appointed for
29 initial terms commencing July 1, 1999. Committee members shall
30 be appointed to terms of 4 years, except that, of the initial
31 appointments, two members shall be appointed for terms of 2

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1 years, two shall be appointed for terms of 3 years, and one
2 shall be appointed for a term of 4 years.The committee shall
3 meet at least quarterly to establish a formulary of medicinal
4 drugs that ~~for which~~ a fully licensed physician assistant may
5 prescribe. The formulary may not include controlled substances
6 as defined in chapter 893, antineoplastics, antipsychotics,
7 radiopharmaceuticals, general anesthetics, ~~or~~ radiographic
8 contrast materials, or any parenteral preparations except
9 insulin and epinephrine.

10 2. Only the committee shall add to, delete from, or
11 modify the formulary. Any person who requests an addition,
12 deletion, or modification of a medicinal drug listed on such
13 formulary has the burden of proof to show cause why such
14 addition, deletion, or modification should be made.

15 3. The boards shall adopt the formulary required by
16 this paragraph, and each addition, deletion, or modification
17 to the formulary, by rule. Notwithstanding any provision of
18 chapter 120 to the contrary, the formulary rule shall be
19 effective 60 days after the date it is filed with the
20 Secretary of State. Upon adoption of the formulary, the
21 department shall mail a copy of such formulary to each fully
22 licensed physician assistant and to each pharmacy licensed by
23 the state. The boards shall establish, by rule, a fee not to
24 exceed \$200 to fund the provisions of this paragraph and
25 paragraph (e). The Board of Medicine shall adopt the formulary
26 required by this paragraph and shall adopt each subsequent
27 change at its next regular meeting following receipt of the
28 formulary from the formulary committee.

29 Section 3. Paragraph (f) of subsection (4) of section
30 459.022, Florida Statutes, 1998 Supplement, is amended to
31 read:

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1 459.022 Physician assistants.--
2 (4) PERFORMANCE OF PHYSICIAN ASSISTANTS.--
3 (f)1. There is created a five-member committee
4 appointed by the Secretary of Health. The committee must be
5 composed of one fully licensed physician assistant licensed
6 under pursuant to this section or s. 458.347, two physicians
7 licensed under pursuant to chapter 458, one of whom supervises
8 a fully licensed physician assistant, one osteopathic
9 physician licensed under pursuant to this chapter, and one
10 pharmacist licensed under pursuant to chapter 465 who is not
11 licensed under pursuant to this chapter or chapter 458. All
12 members of the formulary committee shall be appointed for
13 initial terms commencing July 1, 1999. Committee members shall
14 be appointed to terms of 4 years, except that, of the initial
15 appointments, two members shall be appointed for terms of 2
16 years, two shall be appointed for terms of 3 years, and one
17 shall be appointed for a term of 4 years.The committee shall
18 meet at least quarterly to establish a formulary of medicinal
19 drugs that for which a fully licensed physician assistant may
20 prescribe. The formulary may not include controlled substances
21 as defined in chapter 893, antineoplastics, antipsychotics,
22 radiopharmaceuticals, general anesthetics, or radiographic
23 contrast materials, or any parenteral preparations except
24 insulin and epinephrine.
25 2. Only the committee shall add to, delete from, or
26 modify the formulary. Any person who requests an addition,
27 deletion, or modification of a medicinal drug listed on such
28 formulary has the burden of proof to show cause why such
29 addition, deletion, or modification should be made.
30 3. The boards shall adopt the formulary required by
31 this paragraph, and each addition, deletion, or modification

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1 to the formulary, by rule. Notwithstanding any provision of
2 chapter 120 to the contrary, the formulary rule shall be
3 effective 60 days after the date it is filed with the
4 Secretary of State. Upon adoption of the formulary, the
5 department shall mail a copy of such formulary to each fully
6 licensed physician assistant and to each pharmacy licensed by
7 the state. The boards shall establish, by rule, a fee not to
8 exceed \$200 to fund the provisions of this paragraph and
9 paragraph (e). The Board of Osteopathic Medicine shall adopt
10 the formulary required by this paragraph and shall adopt each
11 subsequent change at its next regular meeting following
12 receipt of the formulary from the formulary committee.

13 Section 4. This act shall take effect July 1, 1999.

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15
16 ===== T I T L E A M E N D M E N T =====

17 And the title is amended as follows:

18 remove from the title of the bill: everything before the
19 enacting clause

20
21 and insert in lieu thereof:

22 A bill to be entitled

23 An act relating to physician assistants;
24 amending s. 39.304, F.S.; allowing a physician
25 assistant to perform a medical examination, and
26 to authorize a radiological examination to be
27 performed, on a child who is suspected to be a
28 victim of abuse, abandonment, or neglect;
29 amending ss. 458.347 and 459.022, F.S. ;
30 providing for the appointment of a formulary
31 committee to establish a formulary of medicinal

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1 drugs that physician assistants may prescribe;
2 providing for terms and meetings of the
3 formulary committee; providing standards for
4 formulary drugs; providing for the Board of
5 Medicine and the Board of Osteopathic Medicine
6 to adopt the formularies; providing an
7 effective date.
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