

Amendment No. \_\_\_\_ (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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4		.	

ORIGINAL STAMP BELOW

Representative(s) Farkas and Baxley offered the following:

**Amendment to Amendment (600753) (with title amendment)**

On page 45, between lines 18 and 19, of the amendment

insert:

Section 21. Paragraphs (e) and (f) of subsection (4) of section 458.347, Florida Statutes, are amended to read:

458.347 Physician assistants.--

(4) PERFORMANCE OF PHYSICIAN ASSISTANTS.--

(e) A supervisory physician may delegate to a fully licensed physician assistant the authority to prescribe any medication used in the supervisory physician's practice unless ~~if~~ such medication is listed on the formulary created pursuant to paragraph (f). A fully licensed physician assistant may only prescribe such medication under the following circumstances:

1. A physician assistant must clearly identify to the patient that he or she is a physician assistant. Furthermore, the physician assistant must inform the patient that the patient has the right to see the physician prior to any

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1 prescription being prescribed by the physician assistant.

2           2. The supervisory physician must notify the  
3 department of his or her intent to delegate, on a  
4 department-approved form, before delegating such authority and  
5 notify the department of any change in prescriptive privileges  
6 of the physician assistant.

7           3. The physician assistant must file with the  
8 department, before commencing to prescribe, evidence that he  
9 or she has completed a continuing medical education course of  
10 at least 3 classroom hours in prescriptive practice, conducted  
11 by an accredited program approved by the boards, which course  
12 covers the limitations, responsibilities, and privileges  
13 involved in prescribing medicinal drugs, or evidence that he  
14 or she has received education comparable to the continuing  
15 education course as part of an accredited physician assistant  
16 training program.

17           4. The physician assistant must file with the  
18 department, before commencing to prescribe, evidence that the  
19 physician assistant has a minimum of 3 months of clinical  
20 experience in the specialty area of the supervising physician.

21           5. The physician assistant must file with the  
22 department a signed affidavit that he or she has completed a  
23 minimum of 10 continuing medical education hours in the  
24 specialty practice in which the physician assistant has  
25 prescriptive privileges with each licensure renewal  
26 application.

27           6. The department shall issue a license and a  
28 prescriber number to the physician assistant granting  
29 authority for the prescribing of medicinal drugs authorized  
30 within this paragraph upon completion of the foregoing  
31 requirements.

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1           7. The prescription must be written in a form that  
2 complies with chapter 499 and must contain, in addition to the  
3 supervisory physician's name, address, and telephone number,  
4 the physician assistant's prescriber number. Unless it is a  
5 drug sample dispensed by the physician assistant, the  
6 prescription must be filled in a pharmacy permitted under  
7 chapter 465 and must be dispensed in that pharmacy by a  
8 pharmacist licensed under chapter 465. The appearance of the  
9 prescriber number creates a presumption that the physician  
10 assistant is authorized to prescribe the medicinal drug and  
11 the prescription is valid.

12           8. The physician assistant must note the prescription  
13 in the appropriate medical record, and the supervisory  
14 physician must review and sign each notation. For dispensing  
15 purposes only, the failure of the supervisory physician to  
16 comply with these requirements does not affect the validity of  
17 the prescription.

18           9. This paragraph does not prohibit a supervisory  
19 physician from delegating to a physician assistant the  
20 authority to order medication for a hospitalized patient of  
21 the supervisory physician.

22  
23 This paragraph does not apply to facilities licensed pursuant  
24 to chapter 395.

25           ~~(f)1. There is created a five-member committee~~  
26 ~~appointed by the Secretary of Health. The committee must be~~  
27 ~~composed of one fully licensed physician assistant licensed~~  
28 ~~pursuant to this section or s. 459.022, two physicians~~  
29 ~~licensed pursuant to this chapter, one of whom supervises a~~  
30 ~~fully licensed physician assistant, one osteopathic physician~~  
31 ~~licensed pursuant to chapter 459, and one pharmacist licensed~~

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1 ~~pursuant to chapter 465 who is not licensed pursuant to this~~  
2 ~~chapter or chapter 459.~~ The council committee shall establish  
3 a formulary of medicinal drugs that for which a fully licensed  
4 physician assistant, licensed under this section or s.  
5 459.022, may not prescribe. The formulary must ~~may not~~ include  
6 controlled substances as defined in chapter 893,  
7 ~~antineoplastics, antipsychotics, radiopharmaceuticals, general~~  
8 ~~anesthetics and or radiographic contrast materials, and all or~~  
9 ~~any~~ parenteral preparations except insulin and epinephrine.

10 2. In establishing the formulary, the council shall  
11 consult with a pharmacist licensed under chapter 465, but not  
12 licensed under this chapter or chapter 459, who shall be  
13 selected by the Secretary of Health.

14 3.2. Only the council committee shall add to, delete  
15 from, or modify the formulary. Any person who requests an  
16 addition, deletion, or modification of a medicinal drug listed  
17 on such formulary has the burden of proof to show cause why  
18 such addition, deletion, or modification should be made.

19 4.3. The boards shall adopt the formulary required by  
20 this paragraph, and each addition, deletion, or modification  
21 to the formulary, by rule. Notwithstanding any provision of  
22 chapter 120 to the contrary, the formulary rule shall be  
23 effective 60 days after the date it is filed with the  
24 Secretary of State. Upon adoption of the formulary, the  
25 department shall mail a copy of such formulary to each fully  
26 licensed physician assistant, licensed under this section or  
27 s. 459.022, and to each pharmacy licensed by the state. The  
28 boards shall establish, by rule, a fee not to exceed \$200 to  
29 fund the provisions of this paragraph and paragraph (e).

30 Section 22. Subsection (4) and paragraph (c) of  
31 subsection (9) of section 459.022, Florida Statutes, are

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1 amended to read:

2 459.022 Physician assistants.--

3 (4) PERFORMANCE OF PHYSICIAN ASSISTANTS.--

4 (a) The boards shall adopt, by rule, the general  
5 principles that supervising physicians must use in developing  
6 the scope of practice of a physician assistant under direct  
7 supervision and under indirect supervision. These principles  
8 shall recognize the diversity of both specialty and practice  
9 settings in which physician assistants are used.

10 (b) This chapter does not prevent third-party payors  
11 from reimbursing employers of physician assistants for covered  
12 services rendered by licensed physician assistants.

13 (c) Licensed physician assistants may not be denied  
14 clinical hospital privileges, except for cause, so long as the  
15 supervising physician is a staff member in good standing.

16 (d) A supervisory physician may delegate to a licensed  
17 physician assistant, pursuant to a written protocol, the  
18 authority to act according to s. 154.04(1)(c). Such delegated  
19 authority is limited to the supervising physician's practice  
20 in connection with a county health department as defined and  
21 established pursuant to chapter 154. The boards shall adopt  
22 rules governing the supervision of physician assistants by  
23 physicians in county health departments.

24 (e) A supervisory physician may delegate to a fully  
25 licensed physician assistant the authority to prescribe any  
26 medication used in the supervisory physician's practice unless  
27 if such medication is listed on the formulary created pursuant  
28 to s. 458.347. A fully licensed physician assistant may only  
29 prescribe such medication under the following circumstances:

30 1. A physician assistant must clearly identify to the  
31 patient that she or he is a physician assistant. Furthermore,

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1 the physician assistant must inform the patient that the  
2 patient has the right to see the physician prior to any  
3 prescription being prescribed by the physician assistant.

4 2. The supervisory physician must notify the  
5 department of her or his intent to delegate, on a  
6 department-approved form, before delegating such authority and  
7 notify the department of any change in prescriptive privileges  
8 of the physician assistant.

9 3. The physician assistant must file with the  
10 department, before commencing to prescribe, evidence that she  
11 or he has completed a continuing medical education course of  
12 at least 3 classroom hours in prescriptive practice, conducted  
13 by an accredited program approved by the boards, which course  
14 covers the limitations, responsibilities, and privileges  
15 involved in prescribing medicinal drugs, or evidence that she  
16 or he has received education comparable to the continuing  
17 education course as part of an accredited physician assistant  
18 training program.

19 4. The physician assistant must file with the  
20 department, before commencing to prescribe, evidence that the  
21 physician assistant has a minimum of 3 months of clinical  
22 experience in the specialty area of the supervising physician.

23 5. The physician assistant must file with the  
24 department a signed affidavit that she or he has completed a  
25 minimum of 10 continuing medical education hours in the  
26 specialty practice in which the physician assistant has  
27 prescriptive privileges with each licensure renewal  
28 application.

29 6. The department shall issue a license and a  
30 prescriber number to the physician assistant granting  
31 authority for the prescribing of medicinal drugs authorized

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1 within this paragraph upon completion of the foregoing  
2 requirements.

3           7. The prescription must be written in a form that  
4 complies with chapter 499 and must contain, in addition to the  
5 supervisory physician's name, address, and telephone number,  
6 the physician assistant's prescriber number. Unless it is a  
7 drug sample dispensed by the physician assistant, the  
8 prescription must be filled in a pharmacy permitted under  
9 chapter 465, and must be dispensed in that pharmacy by a  
10 pharmacist licensed under chapter 465. The appearance of the  
11 prescriber number creates a presumption that the physician  
12 assistant is authorized to prescribe the medicinal drug and  
13 the prescription is valid.

14           8. The physician assistant must note the prescription  
15 in the appropriate medical record, and the supervisory  
16 physician must review and sign each notation. For dispensing  
17 purposes only, the failure of the supervisory physician to  
18 comply with these requirements does not affect the validity of  
19 the prescription.

20           9. This paragraph does not prohibit a supervisory  
21 physician from delegating to a physician assistant the  
22 authority to order medication for a hospitalized patient of  
23 the supervisory physician.

24  
25 This paragraph does not apply to facilities licensed pursuant  
26 to chapter 395.

27           ~~(f)1. There is created a five-member committee~~  
28 ~~appointed by the Secretary of Health. The committee must be~~  
29 ~~composed of one fully licensed physician assistant licensed~~  
30 ~~pursuant to this section or s. 458.347, two physicians~~  
31 ~~licensed pursuant to chapter 458, one of whom supervises a~~

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1 ~~fully licensed physician assistant, one osteopathic physician~~  
2 ~~licensed pursuant to this chapter, and one pharmacist licensed~~  
3 ~~pursuant to chapter 465 who is not licensed pursuant to this~~  
4 ~~chapter or chapter 458. The committee shall establish a~~  
5 ~~formulary of medicinal drugs for which a fully licensed~~  
6 ~~physician assistant may prescribe. The formulary may not~~  
7 ~~include controlled substances as defined in chapter 893,~~  
8 ~~antineoplastics, antipsychotics, radiopharmaceuticals, general~~  
9 ~~anesthetics or radiographic contrast materials, or any~~  
10 ~~parenteral preparations except insulin and epinephrine.~~

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

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

27 (9) COUNCIL ON PHYSICIAN ASSISTANTS.--The Council on  
28 Physician Assistants is created within the department.

29 (c) The council shall:

30 1. Recommend to the department the licensure of  
31 physician assistants.



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1           amending ss. 458.347 and 459.022, F.S. ;  
2           allowing authorized physician assistants to  
3           prescribe any medication not listed on a  
4           formulary established by the Council on  
5           Physician Assistants; allowing authorized  
6           physician assistants to dispense drug samples  
7           pursuant to proper prescription; eliminating  
8           the formulary committee and revising provisions  
9           relating to creation and amendment of the  
10          formulary, to conform;

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