

1                   A bill to be entitled  
 2           An act relating to physician assistants; amending s.  
 3           458.347, F.S.; requiring that a prescription be filled in  
 4           a pharmacy unless it is a drug dispensed by a physician  
 5           assistant; providing an effective date.

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 7 Be It Enacted by the Legislature of the State of Florida:

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 9           Section 1. Paragraph (e) of subsection (4) of section  
 10          458.347, Florida Statutes, is amended to read:

11          458.347 Physician assistants.--

12          (4) PERFORMANCE OF PHYSICIAN ASSISTANTS.--

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

19           1. A physician assistant must clearly identify to the  
 20          patient that he or she is a physician assistant. Furthermore,  
 21          the physician assistant must inform the patient that the patient  
 22          has the right to see the physician prior to any prescription  
 23          being prescribed by the physician assistant.

24           2. The supervisory physician must notify the department of  
 25          his or her intent to delegate, on a department-approved form,  
 26          before delegating such authority and notify the department of  
 27          any change in prescriptive privileges of the physician  
 28          assistant.

29           3. The physician assistant must file with the department,  
30 before commencing to prescribe, evidence that he or she has  
31 completed a continuing medical education course of at least 3  
32 classroom hours in prescriptive practice, conducted by an  
33 accredited program approved by the boards, which course covers  
34 the limitations, responsibilities, and privileges involved in  
35 prescribing medicinal drugs, or evidence that he or she has  
36 received education comparable to the continuing education course  
37 as part of an accredited physician assistant training program.

38           4. The physician assistant must file with the department,  
39 before commencing to prescribe, evidence that the physician  
40 assistant has a minimum of 3 months of clinical experience in  
41 the specialty area of the supervising physician.

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

47           6. The department shall issue a license and a prescriber  
48 number to the physician assistant granting authority for the  
49 prescribing of medicinal drugs authorized within this paragraph  
50 upon completion of the foregoing requirements.

51           7. The prescription must be written in a form that  
52 complies with chapter 499 and must contain, in addition to the  
53 supervisory physician's name, address, and telephone number, the  
54 physician assistant's prescriber number. A physician assistant  
55 may dispense drugs provided that the supervising physician is a  
56 dispensing physician. However, unless it is a drug sample

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57 dispensed by the physician assistant, the prescription must be  
58 filled in a pharmacy permitted under chapter 465 and must be  
59 dispensed in that pharmacy by a pharmacist licensed under  
60 chapter 465. The appearance of the prescriber number creates a  
61 presumption that the physician assistant is authorized to  
62 prescribe the medicinal drug and the prescription is valid.

63 8. The physician assistant must note the prescription in  
64 the appropriate medical record, and the supervisory physician  
65 must review and sign each notation. For dispensing purposes  
66 only, the failure of the supervisory physician to comply with  
67 these requirements does not affect the validity of the  
68 prescription.

69 9. This paragraph does not prohibit a supervisory  
70 physician from delegating to a physician assistant the authority  
71 to order medication for a hospitalized patient of the  
72 supervisory physician.

73  
74 This paragraph does not apply to facilities licensed pursuant to  
75 chapter 395.

76 Section 2. This act shall take effect July 1, 2007.