

1 A bill to be entitled
 2 An act relating to physician assistants; amending ss.
 3 458.347 and 459.022, F.S.; requiring that a prescription
 4 be filled in a pharmacy unless it is a drug dispensed by a
 5 physician assistant; providing that authority to dispense
 6 may be delegated only by supervisory physicians registered
 7 as dispensing practitioners; providing an effective date.
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9 Be It Enacted by the Legislature of the State of Florida:

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 11 Section 1. Paragraph (e) of subsection (4) of section
 12 458.347, Florida Statutes, is amended to read:

13 458.347 Physician assistants.--

14 (4) PERFORMANCE OF PHYSICIAN ASSISTANTS.--

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

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

27 2. The supervisory physician must notify the department of
 28 his or her intent to delegate, on a department-approved form,

29 before delegating such authority and notify the department of
30 any change in prescriptive privileges of the physician
31 assistant. Authority to dispense may be delegated only by a
32 supervising physician who is registered as a dispensing
33 practitioner in compliance with s. 465.0276.

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

44 4. The physician assistant must file with the department,
45 before commencing to prescribe or dispense, evidence that the
46 physician assistant has a minimum of 3 months of clinical
47 experience in the specialty area of the supervising physician.

48 5. The physician assistant must file with the department a
49 signed affidavit that he or she has completed a minimum of 10
50 continuing medical education hours in the specialty practice in
51 which the physician assistant has prescriptive privileges with
52 each licensure renewal application.

53 6. The department shall issue a license and a prescriber
54 number to the physician assistant granting authority for the
55 prescribing of medicinal drugs authorized within this paragraph
56 upon completion of the foregoing requirements. The physician

57 assistant shall not be required to independently register
58 pursuant to s. 465.0276.

59 7. The prescription must be written in a form that
60 complies with chapter 499 and must contain, in addition to the
61 supervisory physician's name, address, and telephone number, the
62 physician assistant's prescriber number. Unless it is a drug or
63 drug sample dispensed by the physician assistant, the
64 prescription must be filled in a pharmacy permitted under
65 chapter 465 and must be dispensed in that pharmacy by a
66 pharmacist licensed under chapter 465. The appearance of the
67 prescriber number creates a presumption that the physician
68 assistant is authorized to prescribe the medicinal drug and the
69 prescription is valid.

70 8. The physician assistant must note the prescription or
71 dispensing of medication in the appropriate medical record, and
72 the supervisory physician must review and sign each notation.
73 For dispensing purposes only, the failure of the supervisory
74 physician to comply with these requirements does not affect the
75 validity of the prescription.

76 9. This paragraph does not prohibit a supervisory
77 physician from delegating to a physician assistant the authority
78 to order medication for a hospitalized patient of the
79 supervisory physician.

80
81 This paragraph does not apply to facilities licensed pursuant to
82 chapter 395.

83 Section 2. Paragraph (e) of subsection (4) of section
84 459.022, Florida Statutes, is amended to read:

85 459.022 Physician assistants.--

86 (4) PERFORMANCE OF PHYSICIAN ASSISTANTS.--

87 (e) A supervisory physician may delegate to a fully
88 licensed physician assistant the authority to prescribe or
89 dispense any medication used in the supervisory physician's
90 practice unless such medication is listed on the formulary
91 created pursuant to s. 458.347. A fully licensed physician
92 assistant may only prescribe or dispense such medication under
93 the following circumstances:

94 1. A physician assistant must clearly identify to the
95 patient that she or he is a physician assistant. Furthermore,
96 the physician assistant must inform the patient that the patient
97 has the right to see the physician prior to any prescription
98 being prescribed or dispensed by the physician assistant.

99 2. The supervisory physician must notify the department of
100 her or his intent to delegate, on a department-approved form,
101 before delegating such authority and notify the department of
102 any change in prescriptive privileges of the physician
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104 supervisory physician who is registered as a dispensing
105 practitioner in compliance with s. 465.0276.

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110 an accredited program approved by the boards, which course
111 covers the limitations, responsibilities, and privileges
112 involved in prescribing medicinal drugs, or evidence that she or

113 he has received education comparable to the continuing education
114 course as part of an accredited physician assistant training
115 program.

116 4. The physician assistant must file with the department,
117 before commencing to prescribe or dispense, evidence that the
118 physician assistant has a minimum of 3 months of clinical
119 experience in the specialty area of the supervising physician.

120 5. The physician assistant must file with the department a
121 signed affidavit that she or he has completed a minimum of 10
122 continuing medical education hours in the specialty practice in
123 which the physician assistant has prescriptive privileges with
124 each licensure renewal application.

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146 physician to comply with these requirements does not affect the
147 validity of the prescription.

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149 physician from delegating to a physician assistant the authority
150 to order medication for a hospitalized patient of the
151 supervisory physician.

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153 This paragraph does not apply to facilities licensed pursuant to
154 chapter 395.

155 Section 3. This act shall take effect July 1, 2007.