

By Senator Saunders

37-433A-07

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31

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

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

Section 1. Paragraph (e) of subsection (4) of section  
458.347, Florida Statutes, is 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  
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  
prescription being prescribed by the physician assistant.

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

3. The physician assistant must file with the  
department, before commencing to prescribe, evidence that he

1 or she has completed a continuing medical education course of  
2 at least 3 classroom hours in prescriptive practice, conducted  
3 by an accredited program approved by the boards, which course  
4 covers the limitations, responsibilities, and privileges  
5 involved in prescribing medicinal drugs, or evidence that he  
6 or she has received education comparable to the continuing  
7 education course as part of an accredited physician assistant  
8 training program.

9           4. The physician assistant must file with the  
10 department, before commencing to prescribe, evidence that the  
11 physician assistant has a minimum of 3 months of clinical  
12 experience in the specialty area of the supervising physician.

13           5. The physician assistant must file with the  
14 department a signed affidavit that he or she has completed a  
15 minimum of 10 continuing medical education hours in the  
16 specialty practice in which the physician assistant has  
17 prescriptive privileges with each licensure renewal  
18 application.

19           6. The department shall issue a license and a  
20 prescriber number to the physician assistant granting  
21 authority for the prescribing of medicinal drugs authorized  
22 within this paragraph upon completion of the foregoing  
23 requirements.

24           7. The prescription must be written in a form that  
25 complies with chapter 499 and must contain, in addition to the  
26 supervisory physician's name, address, and telephone number,  
27 the physician assistant's prescriber number. Unless it is a  
28 ~~drug-sample~~ dispensed by the physician assistant, the  
29 prescription must be filled in a pharmacy permitted under  
30 chapter 465 and must be dispensed in that pharmacy by a  
31 pharmacist licensed under chapter 465. The appearance of the

1 | prescriber number creates a presumption that the physician  
2 | assistant is authorized to prescribe the medicinal drug and  
3 | the prescription is valid.

4 |         8. The physician assistant must note the prescription  
5 | in the appropriate medical record, and the supervisory  
6 | physician must review and sign each notation. For dispensing  
7 | purposes only, the failure of the supervisory physician to  
8 | comply with these requirements does not affect the validity of  
9 | the prescription.

10 |         9. This paragraph does not prohibit a supervisory  
11 | physician from delegating to a physician assistant the  
12 | authority to order medication for a hospitalized patient of  
13 | the supervisory physician.

14 |  
15 | This paragraph does not apply to facilities licensed pursuant  
16 | to chapter 395.

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

18 |  
19 | \*\*\*\*\*

20 |                                   SENATE SUMMARY

21 |         Requires a prescription to be filled in a pharmacy unless  
22 |         it is a drug dispensed by a physician assistant.

23 |  
24 |  
25 |  
26 |  
27 |  
28 |  
29 |  
30 |  
31 |