

By the Committee on Health Regulation; and Senator Saunders

588-1984-07

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A bill to be entitled

An act relating to physician assistants;
amending ss. 458.347, 459.022, F.S.; requiring
that a prescription be filled in a pharmacy
unless it is a drug dispensed by a physician
assistant; providing that authority to dispense
may be delegated only by supervisory physicians
registered as dispensing practitioners;
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 or
dispense 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 or dispense 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 or dispensed by the physician
assistant.

2. The supervisory physician must notify the
department of his or her intent to delegate, on a

1 department-approved form, before delegating such authority and
2 notify the department of any change in prescriptive privileges
3 of the physician assistant. Authority to dispense may be
4 delegated only by a supervising physician who is registered as
5 a dispensing practitioner in compliance with s. 465.0276.

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

16 4. The physician assistant must file with the
17 department, before commencing to prescribe or dispense,
18 evidence that the physician assistant has a minimum of 3
19 months of clinical experience in the specialty area of the
20 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
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1 requirements. The physician assistant shall not be required to
2 independently register pursuant to s. 465.0276.

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 or 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 or dispensing of medication in the appropriate medical record,
16 and the supervisory physician must review and sign each
17 notation. For dispensing purposes only, the failure of the
18 supervisory physician to comply with these requirements does
19 not affect the validity of 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.

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

27 Section 2. Paragraph (e) of subsection (4) of section
28 459.022, Florida Statutes, is amended to read:

29 459.022 Physician assistants.--

30 (4) PERFORMANCE OF PHYSICIAN ASSISTANTS.--

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1 (e) A supervisory physician may delegate to a fully
2 licensed physician assistant the authority to prescribe or
3 dispense any medication used in the supervisory physician's
4 practice unless such medication is listed on the formulary
5 created pursuant to s. 458.347. A fully licensed physician
6 assistant may only prescribe or dispense such medication under
7 the following circumstances:

8 1. A physician assistant must clearly identify to the
9 patient that she or he is a physician assistant. Furthermore,
10 the physician assistant must inform the patient that the
11 patient has the right to see the physician prior to any
12 prescription being prescribed or dispensed by the physician
13 assistant.

14 2. The supervisory physician must notify the
15 department of her or his intent to delegate, on a
16 department-approved form, before delegating such authority and
17 notify the department of any change in prescriptive privileges
18 of the physician assistant. Authority to dispense may be
19 delegated only by a supervisory physician who is registered as
20 a dispensing practitioner in compliance with s. 465.0276.

21 3. The physician assistant must file with the
22 department, before commencing to prescribe or dispense,
23 evidence that she or he has completed a continuing medical
24 education course of at least 3 classroom hours in prescriptive
25 practice, conducted by an accredited program approved by the
26 boards, which course covers the limitations, responsibilities,
27 and privileges involved in prescribing medicinal drugs, or
28 evidence that she or he has received education comparable to
29 the continuing education course as part of an accredited
30 physician assistant training program.

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

6 5. The physician assistant must file with the
7 department a signed affidavit that she or he has completed a
8 minimum of 10 continuing medical education hours in the
9 specialty practice in which the physician assistant has
10 prescriptive privileges with each licensure renewal
11 application.

12 6. The department shall issue a license and a
13 prescriber number to the physician assistant granting
14 authority for the prescribing of medicinal drugs authorized
15 within this paragraph upon completion of the foregoing
16 requirements. The physician assistant shall not be required to
17 independently register pursuant to s. 465.0276.

18 7. The prescription must be written in a form that
19 complies with chapter 499 and must contain, in addition to the
20 supervisory physician's name, address, and telephone number,
21 the physician assistant's prescriber number. Unless it is a
22 drug or drug sample dispensed by the physician assistant, the
23 prescription must be filled in a pharmacy permitted under
24 chapter 465, and must be dispensed in that pharmacy by a
25 pharmacist licensed under chapter 465. The appearance of the
26 prescriber number creates a presumption that the physician
27 assistant is authorized to prescribe the medicinal drug and
28 the prescription is valid.

29 8. The physician assistant must note the prescription
30 or dispensing of medication in the appropriate medical record,
31 and the supervisory physician must review and sign each

1 notation. For dispensing purposes only, the failure of the
2 supervisory physician to comply with these requirements does
3 not affect the validity of the prescription.

4 9. This paragraph does not prohibit a supervisory
5 physician from delegating to a physician assistant the
6 authority to order medication for a hospitalized patient of
7 the supervisory physician.

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9 This paragraph does not apply to facilities licensed pursuant
10 to chapter 395.

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

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13 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
14 COMMITTEE SUBSTITUTE FOR
15 Senate Bill 692

16 The committee substitute specifies the conditions under which
17 a physician assistant may dispense medicinal drugs by:

- 18 - Authorizing the supervising medical or osteopathic
19 physician to delegate to the physician assistant the
20 authority to dispense medications.
21 - Requiring the supervising medical or osteopathic
22 physician to be registered as a dispensing practitioner.
23 - Specifying that a physician assistant is not required to
24 register independently of his or her supervising
25 physician.
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