

ENROLLED  
CS/HB 573

2010 Legislature

1                   A bill to be entitled  
2       An act relating to physician assistants; amending ss.  
3       458.347 and 459.022, F.S.; deleting requirements that  
4       physician assistants file evidence of certain clinical  
5       experience before prescribing or dispensing medication;  
6       authorizing the electronic submission of physician  
7       assistant license applications and other required  
8       documentation; amending ss. 458.348 and 459.025, F.S.;  
9       conforming cross-references; providing an effective date.

10  
11 Be It Enacted by the Legislature of the State of Florida:

12  
13       Section 1. Paragraph (e) of subsection (4) of section  
14       458.347, Florida Statutes, is amended, and paragraph (h) is  
15       added to subsection (7) of that section, to read:

16       458.347 Physician assistants.—

17       (4) PERFORMANCE OF PHYSICIAN ASSISTANTS.—

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

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

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29 being prescribed or dispensed by the physician assistant.

30 2. The supervisory physician must notify the department of  
31 his or her intent to delegate, on a department-approved form,  
32 before delegating such authority and notify the department of  
33 any change in prescriptive privileges of the physician  
34 assistant. Authority to dispense may be delegated only by a  
35 supervising physician who is registered as a dispensing  
36 practitioner in compliance with s. 465.0276.

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

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

51 4.5. The physician assistant must file with the department  
52 a signed affidavit that he or she has completed a minimum of 10  
53 continuing medical education hours in the specialty practice in  
54 which the physician assistant has prescriptive privileges with  
55 each licensure renewal application.

56 ~~5.6.~~ The department shall issue a license and a prescriber

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57 | number to the physician assistant granting authority for the  
58 | prescribing of medicinal drugs authorized within this paragraph  
59 | upon completion of the foregoing requirements. The physician  
60 | assistant shall not be required to independently register  
61 | pursuant to s. 465.0276.

62 |       ~~6.7.~~ The prescription must be written in a form that  
63 | complies with chapter 499 and must contain, in addition to the  
64 | supervisory physician's name, address, and telephone number, the  
65 | physician assistant's prescriber number. Unless it is a drug or  
66 | drug sample dispensed by the physician assistant, the  
67 | prescription must be filled in a pharmacy permitted under  
68 | chapter 465 and must be dispensed in that pharmacy by a  
69 | pharmacist licensed under chapter 465. The appearance of the  
70 | prescriber number creates a presumption that the physician  
71 | assistant is authorized to prescribe the medicinal drug and the  
72 | prescription is valid.

73 |       ~~7.8.~~ The physician assistant must note the prescription or  
74 | dispensing of medication in the appropriate medical record.

75 |       ~~8.9.~~ This paragraph does not prohibit a supervisory  
76 | physician from delegating to a physician assistant the authority  
77 | to order medication for a hospitalized patient of the  
78 | supervisory physician.

79 |  
80 | This paragraph does not apply to facilities licensed pursuant to  
81 | chapter 395.

82 |       (7) PHYSICIAN ASSISTANT LICENSURE.—

83 |       (h) An application or other documentation required to be  
84 | submitted to the department under this subsection may be

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85 submitted electronically.

86 Section 2. Paragraph (c) of subsection (4) of section  
87 458.348, Florida Statutes, is amended to read:

88 458.348 Formal supervisory relationships, standing orders,  
89 and established protocols; notice; standards.—

90 (4) SUPERVISORY RELATIONSHIPS IN MEDICAL OFFICE SETTINGS.—

91 A physician who supervises an advanced registered nurse  
92 practitioner or physician assistant at a medical office other  
93 than the physician's primary practice location, where the  
94 advanced registered nurse practitioner or physician assistant is  
95 not under the onsite supervision of a supervising physician,  
96 must comply with the standards set forth in this subsection. For  
97 the purpose of this subsection, a physician's "primary practice  
98 location" means the address reflected on the physician's profile  
99 published pursuant to s. 456.041.

100 (c) A physician who supervises an advanced registered  
101 nurse practitioner or physician assistant at a medical office  
102 other than the physician's primary practice location, where the  
103 advanced registered nurse practitioner or physician assistant is  
104 not under the onsite supervision of a supervising physician and  
105 the services offered at the office are primarily dermatologic or  
106 skin care services, which include aesthetic skin care services  
107 other than plastic surgery, must comply with the standards  
108 listed in subparagraphs 1.-4. Notwithstanding s.  
109 458.347(4)(e) ~~7.8~~, a physician supervising a physician assistant  
110 pursuant to this paragraph may not be required to review and  
111 cosign charts or medical records prepared by such physician  
112 assistant.

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113           1. The physician shall submit to the board the addresses  
114 of all offices where he or she is supervising an advanced  
115 registered nurse practitioner or a physician's assistant which  
116 are not the physician's primary practice location.

117           2. The physician must be board certified or board eligible  
118 in dermatology or plastic surgery as recognized by the board  
119 pursuant to s. 458.3312.

120           3. All such offices that are not the physician's primary  
121 place of practice must be within 25 miles of the physician's  
122 primary place of practice or in a county that is contiguous to  
123 the county of the physician's primary place of practice.  
124 However, the distance between any of the offices may not exceed  
125 75 miles.

126           4. The physician may supervise only one office other than  
127 the physician's primary place of practice except that until July  
128 1, 2011, the physician may supervise up to two medical offices  
129 other than the physician's primary place of practice if the  
130 addresses of the offices are submitted to the board before July  
131 1, 2006. Effective July 1, 2011, the physician may supervise  
132 only one office other than the physician's primary place of  
133 practice, regardless of when the addresses of the offices were  
134 submitted to the board.

135           Section 3. Paragraph (e) of subsection (4) of section  
136 459.022, Florida Statutes, is amended, and paragraph (g) is  
137 added to subsection (7) of that section, to read:

138           459.022 Physician assistants.—

139           (4) PERFORMANCE OF PHYSICIAN ASSISTANTS.—

140           (e) A supervisory physician may delegate to a fully

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141 licensed physician assistant the authority to prescribe or  
142 dispense any medication used in the supervisory physician's  
143 practice unless such medication is listed on the formulary  
144 created pursuant to s. 458.347. A fully licensed physician  
145 assistant may only prescribe or dispense such medication under  
146 the following circumstances:

147 1. A physician assistant must clearly identify to the  
148 patient that she or he is a physician assistant. Furthermore,  
149 the physician assistant must inform the patient that the patient  
150 has the right to see the physician prior to any prescription  
151 being prescribed or dispensed by the physician assistant.

152 2. The supervisory physician must notify the department of  
153 her or his intent to delegate, on a department-approved form,  
154 before delegating such authority and notify the department of  
155 any change in prescriptive privileges of the physician  
156 assistant. Authority to dispense may be delegated only by a  
157 supervisory physician who is registered as a dispensing  
158 practitioner in compliance with s. 465.0276.

159 3. The physician assistant must file with the department,  
160 before commencing to prescribe or dispense, evidence that she or  
161 he has completed a continuing medical education course of at  
162 least 3 classroom hours in prescriptive practice, conducted by  
163 an accredited program approved by the boards, which course  
164 covers the limitations, responsibilities, and privileges  
165 involved in prescribing medicinal drugs, or evidence that she or  
166 he has received education comparable to the continuing education  
167 course as part of an accredited physician assistant training  
168 program.

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169           ~~4.~~ The physician assistant must file with the department,  
170 before commencing to prescribe or dispense, evidence that the  
171 physician assistant has a minimum of 3 months of clinical  
172 experience in the specialty area of the supervising physician.

173           4.5. The physician assistant must file with the department  
174 a signed affidavit that she or he has completed a minimum of 10  
175 continuing medical education hours in the specialty practice in  
176 which the physician assistant has prescriptive privileges with  
177 each licensure renewal application.

178           ~~5.6.~~ The department shall issue a license and a prescriber  
179 number to the physician assistant granting authority for the  
180 prescribing of medicinal drugs authorized within this paragraph  
181 upon completion of the foregoing requirements. The physician  
182 assistant shall not be required to independently register  
183 pursuant to s. 465.0276.

184           6.7. The prescription must be written in a form that  
185 complies with chapter 499 and must contain, in addition to the  
186 supervisory physician's name, address, and telephone number, the  
187 physician assistant's prescriber number. Unless it is a drug or  
188 drug sample dispensed by the physician assistant, the  
189 prescription must be filled in a pharmacy permitted under  
190 chapter 465, and must be dispensed in that pharmacy by a  
191 pharmacist licensed under chapter 465. The appearance of the  
192 prescriber number creates a presumption that the physician  
193 assistant is authorized to prescribe the medicinal drug and the  
194 prescription is valid.

195           ~~7.8.~~ The physician assistant must note the prescription or  
196 dispensing of medication in the appropriate medical record.

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197       ~~8.9.~~ This paragraph does not prohibit a supervisory  
198 physician from delegating to a physician assistant the authority  
199 to order medication for a hospitalized patient of the  
200 supervisory physician.

201  
202 This paragraph does not apply to facilities licensed pursuant to  
203 chapter 395.

204       (7) PHYSICIAN ASSISTANT LICENSURE.—

205       (g) An application or other documentation required to be  
206 submitted to the department under this subsection may be  
207 submitted electronically.

208       Section 4. Paragraph (c) of subsection (3) of section  
209 459.025, Florida Statutes, is amended to read:

210       459.025 Formal supervisory relationships, standing orders,  
211 and established protocols; notice; standards.—

212       (3) SUPERVISORY RELATIONSHIPS IN MEDICAL OFFICE SETTINGS.—

213 An osteopathic physician who supervises an advanced registered  
214 nurse practitioner or physician assistant at a medical office  
215 other than the osteopathic physician's primary practice  
216 location, where the advanced registered nurse practitioner or  
217 physician assistant is not under the onsite supervision of a  
218 supervising osteopathic physician, must comply with the  
219 standards set forth in this subsection. For the purpose of this  
220 subsection, an osteopathic physician's "primary practice  
221 location" means the address reflected on the physician's profile  
222 published pursuant to s. 456.041.

223       (c) An osteopathic physician who supervises an advanced  
224 registered nurse practitioner or physician assistant at a



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225 | medical office other than the osteopathic physician's primary  
226 | practice location, where the advanced registered nurse  
227 | practitioner or physician assistant is not under the onsite  
228 | supervision of a supervising osteopathic physician and the  
229 | services offered at the office are primarily dermatologic or  
230 | skin care services, which include aesthetic skin care services  
231 | other than plastic surgery, must comply with the standards  
232 | listed in subparagraphs 1.-4. Notwithstanding s.  
233 | 459.022(4)(e) ~~7.8~~, an osteopathic physician supervising a  
234 | physician assistant pursuant to this paragraph may not be  
235 | required to review and cosign charts or medical records prepared  
236 | by such physician assistant.

237 |         1. The osteopathic physician shall submit to the Board of  
238 | Osteopathic Medicine the addresses of all offices where he or  
239 | she is supervising or has a protocol with an advanced registered  
240 | nurse practitioner or a physician's assistant which are not the  
241 | osteopathic physician's primary practice location.

242 |         2. The osteopathic physician must be board certified or  
243 | board eligible in dermatology or plastic surgery as recognized  
244 | by the Board of Osteopathic Medicine pursuant to s. 459.0152.

245 |         3. All such offices that are not the osteopathic  
246 | physician's primary place of practice must be within 25 miles of  
247 | the osteopathic physician's primary place of practice or in a  
248 | county that is contiguous to the county of the osteopathic  
249 | physician's primary place of practice. However, the distance  
250 | between any of the offices may not exceed 75 miles.

251 |         4. The osteopathic physician may supervise only one office  
252 | other than the osteopathic physician's primary place of practice

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253 | except that until July 1, 2011, the osteopathic physician may  
254 | supervise up to two medical offices other than the osteopathic  
255 | physician's primary place of practice if the addresses of the  
256 | offices are submitted to the Board of Osteopathic Medicine  
257 | before July 1, 2006. Effective July 1, 2011, the osteopathic  
258 | physician may supervise only one office other than the  
259 | osteopathic physician's primary place of practice, regardless of  
260 | when the addresses of the offices were submitted to the Board of  
261 | Osteopathic Medicine.

262 |       Section 5. This act shall take effect July 1, 2010.