

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Kreegel offered the following:

2
3 **Substitute Amendment for Amendment (831777) (with directory**
4 **and title amendments)**

5 Remove lines 50-295 and insert:

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

122275

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Amendment No.

16 ~~3.4.~~ The physician assistant must file with the department
17 a signed affidavit that he or she has completed a minimum of 10
18 continuing medical education hours in the specialty practice in
19 which the physician assistant has prescriptive privileges with
20 each licensure renewal application.

21 ~~4.5.~~ The department may ~~shall~~ issue ~~a license and a~~
22 prescriber number to the physician assistant granting authority
23 for the prescribing of medicinal drugs authorized within this
24 paragraph upon completion of the foregoing requirements. The
25 physician assistant shall not be required to independently
26 register pursuant to s. 465.0276.

27 ~~5.6.~~ The prescription must be written in a form that
28 complies with chapter 499 and must contain, in addition to the
29 supervisory physician's name, address, and telephone number, the
30 physician assistant's prescriber number. Unless it is a drug or
31 drug sample dispensed by the physician assistant, the
32 prescription must be filled in a pharmacy permitted under
33 chapter 465 and must be dispensed in that pharmacy by a
34 pharmacist licensed under chapter 465. The appearance of the
35 prescriber number creates a presumption that the physician
36 assistant is authorized to prescribe the medicinal drug and the
37 prescription is valid.

38 ~~6.7.~~ The physician assistant must note the prescription or
39 dispensing of medication in the appropriate medical record.

40 ~~7.8.~~ This paragraph does not prohibit a supervisory
41 physician from delegating to a physician assistant the authority
42 to order medication for a hospitalized patient of the
43 supervisory physician.

122275

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Amendment No.

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

(f)1. The council shall establish a formulary of medicinal drugs that a fully licensed physician assistant having prescribing authority, ~~licensed~~ under this section or s. 459.022, may not prescribe. The formulary must include controlled substances as defined in chapter 893, general anesthetics, and radiographic contrast materials.

2. In establishing the formulary, the council shall consult with a pharmacist licensed under chapter 465, but not licensed under this chapter or chapter 459, who shall be selected by the State Surgeon General.

3. Only the council shall add to, delete from, or modify the formulary. Any person who requests an addition, deletion, or modification of a medicinal drug listed on such formulary has the burden of proof to show cause why such addition, deletion, or modification should be made.

4. The boards shall adopt the formulary required by this paragraph, and each addition, deletion, or modification to the formulary, by rule. Notwithstanding any provision of chapter 120 to the contrary, the formulary rule shall be effective 60 days after the date it is filed with the Secretary of State. Upon adoption of the formulary, the department shall mail a copy of such formulary to each fully licensed physician assistant having prescribing authority, ~~licensed~~ under this section or s. 459.022, and to each pharmacy licensed by the state. The boards

122275

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Amendment No.

71 shall establish, by rule, a fee not to exceed \$200 to fund the
72 provisions of this paragraph and paragraph (e).

73 (7) PHYSICIAN ASSISTANT LICENSURE.—

74 (a) Any person desiring to be licensed as a physician
75 assistant must apply to the department. The department shall
76 issue a license to any person certified by the council as having
77 met the following requirements:

78 1. Is at least 18 years of age.

79 2. Has satisfactorily passed a proficiency examination by
80 an acceptable score established by the National Commission on
81 Certification of Physician Assistants. If an applicant does not
82 hold a current certificate issued by the National Commission on
83 Certification of Physician Assistants and has not actively
84 practiced as a physician assistant within the immediately
85 preceding 4 years, the applicant must retake and successfully
86 complete the entry-level examination of the National Commission
87 on Certification of Physician Assistants to be eligible for
88 licensure.

89 3. Has completed the application form and remitted an
90 application fee not to exceed \$300 as set by the boards. An
91 application for licensure made by a physician assistant must
92 include:

93 a. A certificate of completion of a physician assistant
94 training program specified in subsection (6).

95 b. A sworn statement of any prior felony convictions.

96 c. A sworn statement of any previous revocation or denial
97 of licensure or certification in any state.

98 d. Two letters of recommendation.

122275

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Amendment No.

99 e. A copy of course transcripts and a copy of the course
100 description from a physician assistant training program
101 describing course content in pharmacotherapy, if the applicant
102 wishes to apply for prescribing authority. These documents must
103 meet the evidence requirements for prescribing authority.

104 Section 2. Paragraph (e) of subsection (4) and paragraph
105 (a) of subsection (7) of section 459.022, Florida Statutes, are
106 amended to read:

107 459.022 Physician assistants.—

108 (4) PERFORMANCE OF PHYSICIAN ASSISTANTS.—

109 (e) A supervisory physician may delegate to a fully
110 licensed physician assistant the authority to prescribe or
111 dispense any medication used in the supervisory physician's
112 practice unless such medication is listed on the formulary
113 created pursuant to s. 458.347. A fully licensed physician
114 assistant may only prescribe or dispense such medication under
115 the following circumstances:

116 1. A physician assistant must clearly identify to the
117 patient that she or he is a physician assistant. Furthermore,
118 the physician assistant must inform the patient that the patient
119 has the right to see the physician prior to any prescription
120 being prescribed or dispensed by the physician assistant.

121 2. The supervisory physician must notify the department of
122 her or his intent to delegate, on a department-approved form,
123 before delegating such authority and notify the department of
124 any change in prescriptive privileges of the physician
125 assistant. Authority to dispense may be delegated only by a

122275

Approved For Filing: 3/1/2012 4:46:06 PM

Amendment No.

126 supervisory physician who is registered as a dispensing
127 practitioner in compliance with s. 465.0276.

128 ~~3. The physician assistant must file with the department,~~
129 ~~before commencing to prescribe or dispense, evidence that she or~~
130 ~~he has completed a continuing medical education course of at~~
131 ~~least 3 classroom hours in prescriptive practice, conducted by~~
132 ~~an accredited program approved by the boards, which course~~
133 ~~covers the limitations, responsibilities, and privileges~~
134 ~~involved in prescribing medicinal drugs, or evidence that she or~~
135 ~~he has received education comparable to the continuing education~~
136 ~~course as part of an accredited physician assistant training~~
137 ~~program.~~

138 3.4. The physician assistant must file with the department
139 a signed affidavit that she or he has completed a minimum of 10
140 continuing medical education hours in the specialty practice in
141 which the physician assistant has prescriptive privileges with
142 each licensure renewal application.

143 4.5. The department ~~may shall~~ issue a ~~license and a~~
144 prescriber number to the physician assistant granting authority
145 for the prescribing of medicinal drugs authorized within this
146 paragraph upon completion of the foregoing requirements. The
147 physician assistant shall not be required to independently
148 register pursuant to s. 465.0276.

149 5.6. The prescription must be written in a form that
150 complies with chapter 499 and must contain, in addition to the
151 supervisory physician's name, address, and telephone number, the
152 physician assistant's prescriber number. Unless it is a drug or
153 drug sample dispensed by the physician assistant, the

122275

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Amendment No.

154 prescription must be filled in a pharmacy permitted under
155 chapter 465, and must be dispensed in that pharmacy by a
156 pharmacist licensed under chapter 465. The appearance of the
157 prescriber number creates a presumption that the physician
158 assistant is authorized to prescribe the medicinal drug and the
159 prescription is valid.

160 ~~6.7.~~ The physician assistant must note the prescription or
161 dispensing of medication in the appropriate medical record.

162 ~~7.8.~~ This paragraph does not prohibit a supervisory
163 physician from delegating to a physician assistant the authority
164 to order medication for a hospitalized patient of the
165 supervisory physician.

166
167 This paragraph does not apply to facilities licensed pursuant to
168 chapter 395.

169 (7) PHYSICIAN ASSISTANT LICENSURE.—

170 (a) Any person desiring to be licensed as a physician
171 assistant must apply to the department. The department shall
172 issue a license to any person certified by the council as having
173 met the following requirements:

- 174 1. Is at least 18 years of age.
- 175 2. Has satisfactorily passed a proficiency examination by
176 an acceptable score established by the National Commission on
177 Certification of Physician Assistants. If an applicant does not
178 hold a current certificate issued by the National Commission on
179 Certification of Physician Assistants and has not actively
180 practiced as a physician assistant within the immediately
181 preceding 4 years, the applicant must retake and successfully

122275

Approved For Filing: 3/1/2012 4:46:06 PM

Amendment No.

182 complete the entry-level examination of the National Commission
183 on Certification of Physician Assistants to be eligible for
184 licensure.

185 3. Has completed the application form and remitted an
186 application fee not to exceed \$300 as set by the boards. An
187 application for licensure made by a physician assistant must
188 include:

189 a. A certificate of completion of a physician assistant
190 training program specified in subsection (6).

191 b. A sworn statement of any prior felony convictions.

192 c. A sworn statement of any previous revocation or denial
193 of licensure or certification in any state.

194 d. Two letters of recommendation.

195 e. A copy of course transcripts and a copy of the course
196 description from a physician assistant training program
197 describing course content in pharmacotherapy, if the applicant
198 wishes to apply for prescribing authority. These documents must
199 meet the evidence requirements for prescribing authority.

200 (b) The licensure must be renewed biennially. Each renewal
201 must include:

202 1. A renewal fee not to exceed \$500 as set by the boards.

203 2. A sworn statement of no felony convictions in the
204 previous 2 years.

205 Section 3. Paragraph (c) of subsection (4) of section
206 458.348, Florida Statutes, is amended to read:

207 458.348 Formal supervisory relationships, standing orders,
208 and established protocols; notice; standards.—

122275

Approved For Filing: 3/1/2012 4:46:06 PM

Amendment No.

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

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

219 (c) A physician who supervises an advanced registered
220 nurse practitioner or physician assistant at a medical office
221 other than the physician's primary practice location, where the
222 advanced registered nurse practitioner or physician assistant is
223 not under the onsite supervision of a supervising physician and
224 the services offered at the office are primarily dermatologic or
225 skin care services, which include aesthetic skin care services
226 other than plastic surgery, must comply with the standards
227 listed in subparagraphs 1.-4. Notwithstanding s. 458.347(4)(e)6.
228 ~~458.347(4)(e)7.~~, a physician supervising a physician assistant
229 pursuant to this paragraph may not be required to review and
230 cosign charts or medical records prepared by such physician
231 assistant.

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

122275

Approved For Filing: 3/1/2012 4:46:06 PM

Amendment No.

236 2. The physician must be board certified or board eligible
237 in dermatology or plastic surgery as recognized by the board
238 pursuant to s. 458.3312.

239 3. All such offices that are not the physician's primary
240 place of practice must be within 25 miles of the physician's
241 primary place of practice or in a county that is contiguous to
242 the county of the physician's primary place of practice.
243 However, the distance between any of the offices may not exceed
244 75 miles.

245 4. The physician may supervise only one office other than
246 the physician's primary place of practice except that until July
247 1, 2011, the physician may supervise up to two medical offices
248 other than the physician's primary place of practice if the
249 addresses of the offices are submitted to the board before July
250 1, 2006. Effective July 1, 2011, the physician may supervise
251 only one office other than the physician's primary place of
252 practice, regardless of when the addresses of the offices were
253 submitted to the board.

254 Section 4. Paragraph (c) of subsection (3) of section
255 459.025, Florida Statutes, is amended to read:

256 459.025 Formal supervisory relationships, standing orders,
257 and established protocols; notice; standards.—

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

259 An osteopathic physician who supervises an advanced registered
260 nurse practitioner or physician assistant at a medical office
261 other than the osteopathic physician's primary practice
262 location, where the advanced registered nurse practitioner or
263 physician assistant is not under the onsite supervision of a
122275

Approved For Filing: 3/1/2012 4:46:06 PM

Amendment No.

264 supervising osteopathic physician, must comply with the
265 standards set forth in this subsection. For the purpose of this
266 subsection, an osteopathic physician's "primary practice
267 location" means the address reflected on the physician's profile
268 published pursuant to s. 456.041.

269 (c) An osteopathic physician who supervises an advanced
270 registered nurse practitioner or physician assistant at a
271 medical office other than the osteopathic physician's primary
272 practice location, where the advanced registered nurse
273 practitioner or physician assistant is not under the onsite
274 supervision of a supervising osteopathic physician and the
275 services offered at the office are primarily dermatologic or
276 skin care services, which include aesthetic skin care services
277 other than plastic surgery, must comply with the standards
278 listed in subparagraphs 1.-4. Notwithstanding s. 459.022(4)(e)6.
279 ~~459.022(4)(e)7.~~, an osteopathic physician supervising a
280 physician assistant pursuant to this paragraph may not be
281 required to review and cosign charts or medical records prepared
282 by such physician assistant.

283 1. The osteopathic physician shall submit to the Board of
284 Osteopathic Medicine the addresses of all offices where he or
285 she is supervising or has a protocol with an advanced registered
286 nurse practitioner or a physician's assistant which are not the
287 osteopathic physician's primary practice location.

288 2. The osteopathic physician must be board certified or
289 board eligible in dermatology or plastic surgery as recognized
290 by the Board of Osteopathic Medicine pursuant to s. 459.0152.

122275

Approved For Filing: 3/1/2012 4:46:06 PM

Amendment No.

291 3. All such offices that are not the osteopathic
 292 physician's primary place of practice must be within 25 miles of
 293 the osteopathic physician's primary place of practice or in a
 294 county that is contiguous to the county of the osteopathic
 295 physician's primary place of practice. However, the distance
 296 between any of the offices may not exceed 75 miles.

297 4. The osteopathic physician may supervise only one office
 298 other than the osteopathic physician's primary place of practice
 299 except that until July 1, 2011, the osteopathic physician may
 300 supervise up to two medical offices other than the osteopathic
 301 physician's primary place of practice if the addresses of the
 302 offices are submitted to the Board of Osteopathic Medicine
 303 before July 1, 2006. Effective July 1, 2011, the osteopathic
 304 physician may supervise only one office other than the
 305 osteopathic physician's primary place of practice, regardless of
 306 when the addresses of the offices were submitted to the Board of
 307 Osteopathic Medicine.

D I R E C T O R Y A M E N D M E N T

Remove lines 26-27 and insert:

312 Section 1. Paragraphs (e) and (f) of subsection (4) and
 313 paragraph (a) of subsection (7) of section 458.347,

T I T L E A M E N D M E N T

Remove lines 3-22 and insert:

Amendment No.

318 458.347 and 459.022, F.S.; revising requirements for
319 physician assistants to prescribe or dispense
320 medicinal drugs; authorizing, rather than requiring,
321 the Department of Health to issue a prescriber number
322 to physician assistants granting authority to
323 prescribe medicinal drugs; providing that a physician
324 assistant applying for prescribing authority must
325 submit course transcripts and a copy of the course
326 description in addition to other licensure application
327 requirements; conforming provisions to changes made by
328 the act; amending ss. 458.348 and 459.025, F.S.;
329 conforming cross-references; providing an effective
330 date.