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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/21/2013	.	
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The Committee on Health Policy (Bean) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Paragraph (e) of subsection (4) of section
458.347, Florida Statutes, is amended, and paragraph (g) is
added to that subsection, 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



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14 created pursuant to paragraph (f). A fully licensed physician
15 assistant may only prescribe or dispense such medication under
16 the following circumstances:

17 1. A physician assistant must clearly identify to the
18 patient that he or she is a physician assistant. Furthermore,
19 the physician assistant must inform the patient that the patient
20 has the right to see the physician prior to any prescription
21 being prescribed or dispensed by the physician assistant.

22 2. The supervisory physician must notify the department of
23 his or her intent to delegate, on a department-approved form,
24 before delegating such authority and notify the department of
25 any change in prescriptive privileges of the physician
26 assistant. Authority to dispense may be delegated only by a
27 supervising physician who is registered as a dispensing
28 practitioner in compliance with s. 465.0276.

29 3. The physician assistant must file with the department a
30 signed affidavit that he or she has completed a minimum of 10
31 continuing medical education hours in the specialty practice in
32 which the physician assistant has prescriptive privileges with
33 each licensure renewal application.

34 4. The department may issue a prescriber number to the
35 physician assistant granting authority for the prescribing of
36 medicinal drugs authorized within this paragraph upon completion
37 of the foregoing requirements. The physician assistant shall not
38 be required to independently register pursuant to s. 465.0276.

39 5. The prescription must be written in a form that complies
40 with chapter 499 and must contain, in addition to the
41 supervisory physician's name, address, and telephone number, the
42 physician assistant's prescriber number. Unless it is a drug or



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43 drug sample dispensed by the physician assistant, the
44 prescription must be filled in a pharmacy permitted under
45 chapter 465 and must be dispensed in that pharmacy by a
46 pharmacist licensed under chapter 465. The appearance of the
47 prescriber number creates a presumption that the physician
48 assistant is authorized to prescribe the medicinal drug and the
49 prescription is valid.

50 6. The physician assistant must note the prescription or
51 dispensing of medication in the appropriate medical record.

52 ~~7. This paragraph does not prohibit a supervisory physician~~
53 ~~from delegating to a physician assistant the authority to order~~
54 ~~medication for a hospitalized patient of the supervisory~~
55 ~~physician.~~

56
57 ~~This paragraph does not apply to facilities licensed pursuant to~~
58 ~~chapter 395.~~

59 (g) A supervisory physician may delegate to a licensed
60 physician assistant the authority to order medications for the
61 supervisory physician's patient in a facility licensed under
62 chapter 395, notwithstanding any provisions in chapter 465 or
63 chapter 893 which may prohibit this delegation. For the purpose
64 of this paragraph, an order is not considered a prescription. A
65 licensed physician assistant working in a facility that is
66 licensed under chapter 395 may order any medication under the
67 direction of the supervisory physician.

68 Section 2. Paragraph (e) of subsection (4) of section
69 459.022, Florida Statutes, is amended, and paragraph (f) is
70 added to that subsection, to read:

71 459.022 Physician assistants.-



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72 (4) PERFORMANCE OF PHYSICIAN ASSISTANTS.—

73 (e) A supervisory physician may delegate to a fully
74 licensed physician assistant the authority to prescribe or
75 dispense any medication used in the supervisory physician's
76 practice unless such medication is listed on the formulary
77 created pursuant to s. 458.347. A fully licensed physician
78 assistant may only prescribe or dispense such medication under
79 the following circumstances:

80 1. A physician assistant must clearly identify to the
81 patient that she or he is a physician assistant. Furthermore,
82 the physician assistant must inform the patient that the patient
83 has the right to see the physician prior to any prescription
84 being prescribed or dispensed by the physician assistant.

85 2. The supervisory physician must notify the department of
86 her or his intent to delegate, on a department-approved form,
87 before delegating such authority and notify the department of
88 any change in prescriptive privileges of the physician
89 assistant. Authority to dispense may be delegated only by a
90 supervisory physician who is registered as a dispensing
91 practitioner in compliance with s. 465.0276.

92 3. The physician assistant must file with the department a
93 signed affidavit that she or he has completed a minimum of 10
94 continuing medical education hours in the specialty practice in
95 which the physician assistant has prescriptive privileges with
96 each licensure renewal application.

97 4. The department may issue a prescriber number to the
98 physician assistant granting authority for the prescribing of
99 medicinal drugs authorized within this paragraph upon completion
100 of the foregoing requirements. The physician assistant shall not



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101 be required to independently register pursuant to s. 465.0276.

102 5. The prescription must be written in a form that complies
103 with chapter 499 and must contain, in addition to the
104 supervisory physician's name, address, and telephone number, the
105 physician assistant's prescriber number. Unless it is a drug or
106 drug sample dispensed by the physician assistant, the
107 prescription must be filled in a pharmacy permitted under
108 chapter 465, and must be dispensed in that pharmacy by a
109 pharmacist licensed under chapter 465. The appearance of the
110 prescriber number creates a presumption that the physician
111 assistant is authorized to prescribe the medicinal drug and the
112 prescription is valid.

113 6. The physician assistant must note the prescription or
114 dispensing of medication in the appropriate medical record.

115 ~~7. This paragraph does not prohibit a supervisory physician~~
116 ~~from delegating to a physician assistant the authority to order~~
117 ~~medication for a hospitalized patient of the supervisory~~
118 ~~physician.~~

119
120 ~~This paragraph does not apply to facilities licensed pursuant to~~
121 ~~chapter 395.~~

122 (f) A supervisory physician may delegate to a licensed
123 physician assistant the authority to order medications for the
124 supervisory physician's patient in a facility licensed under
125 chapter 395, notwithstanding any provisions in chapter 465 or
126 chapter 893 which may prohibit this delegation. For the purpose
127 of this paragraph, an order is not considered a prescription. A
128 licensed physician assistant working in a facility that is
129 licensed under chapter 395 may order any medication under the



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130 direction of the supervisory physician.

131 Section 3. This act shall take effect July 1, 2013.

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

134 And the title is amended as follows:

135 Delete everything before the enacting clause

136 and insert:

137 A bill to be entitled

138 An act relating to physician assistants; amending ss.

139 458.347 and 459.022, F.S.; authorizing a supervisory

140 physician to delegate to a licensed physician

141 assistant the authority to order medications for the

142 supervisory physician's patient in a facility licensed

143 under ch. 395, F.S.; deleting provisions to conform to

144 changes made by the act; providing that an order is

145 not a prescription; authorizing a licensed physician

146 assistant to order medication under the direction of

147 the supervisory physician; providing an effective

148 date.