

By the Committee on Health Policy; and Senator Bean

588-01736-13

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1 A bill to be entitled

2 An act relating to physician assistants; amending ss.
3 458.347 and 459.022, F.S.; authorizing a supervisory
4 physician to delegate to a licensed physician
5 assistant the authority to order medications for the
6 supervisory physician's patient in a facility licensed
7 under ch. 395, F.S.; deleting provisions to conform to
8 changes made by the act; providing that an order is
9 not a prescription; authorizing a licensed physician
10 assistant to order medication under the direction of
11 the supervisory physician; providing an effective
12 date.

13
14 Be It Enacted by the Legislature of the State of Florida:

15
16 Section 1. Paragraph (e) of subsection (4) of section
17 458.347, Florida Statutes, is amended, and paragraph (g) is
18 added to that subsection, to read:

19 458.347 Physician assistants.—

20 (4) PERFORMANCE OF PHYSICIAN ASSISTANTS.—

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

28 1. A physician assistant must clearly identify to the
29 patient that he or she is a physician assistant. Furthermore,

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30 the physician assistant must inform the patient that the patient
31 has the right to see the physician prior to any prescription
32 being prescribed or dispensed by the physician assistant.

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

40 3. The physician assistant must file with the department a
41 signed affidavit that he or she has completed a minimum of 10
42 continuing medical education hours in the specialty practice in
43 which the physician assistant has prescriptive privileges with
44 each licensure renewal application.

45 4. The department may issue a prescriber number to the
46 physician assistant granting authority for the prescribing of
47 medicinal drugs authorized within this paragraph upon completion
48 of the foregoing requirements. The physician assistant shall not
49 be required to independently register pursuant to s. 465.0276.

50 5. The prescription must be written in a form that complies
51 with chapter 499 and must contain, in addition to the
52 supervisory physician's name, address, and telephone number, the
53 physician assistant's prescriber number. Unless it is a drug or
54 drug sample dispensed by the physician assistant, the
55 prescription must be filled in a pharmacy permitted under
56 chapter 465 and must be dispensed in that pharmacy by a
57 pharmacist licensed under chapter 465. The appearance of the
58 prescriber number creates a presumption that the physician

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59 assistant is authorized to prescribe the medicinal drug and the
60 prescription is valid.

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

63 ~~7. This paragraph does not prohibit a supervisory physician~~
64 ~~from delegating to a physician assistant the authority to order~~
65 ~~medication for a hospitalized patient of the supervisory~~
66 ~~physician.~~

67
68 ~~This paragraph does not apply to facilities licensed pursuant to~~
69 ~~chapter 395.~~

70 (g) A supervisory physician may delegate to a licensed
71 physician assistant the authority to order medications for the
72 supervisory physician's patient in a facility licensed under
73 chapter 395, notwithstanding any provisions in chapter 465 or
74 chapter 893 which may prohibit this delegation. For the purpose
75 of this paragraph, an order is not considered a prescription. A
76 licensed physician assistant working in a facility that is
77 licensed under chapter 395 may order any medication under the
78 direction of the supervisory physician.

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

82 459.022 Physician assistants.—

83 (4) PERFORMANCE OF PHYSICIAN ASSISTANTS.—

84 (e) A supervisory physician may delegate to a fully
85 licensed physician assistant the authority to prescribe or
86 dispense any medication used in the supervisory physician's
87 practice unless such medication is listed on the formulary

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88 created pursuant to s. 458.347. A fully licensed physician
89 assistant may only prescribe or dispense such medication under
90 the following circumstances:

91 1. A physician assistant must clearly identify to the
92 patient that she or he is a physician assistant. Furthermore,
93 the physician assistant must inform the patient that the patient
94 has the right to see the physician prior to any prescription
95 being prescribed or dispensed by the physician assistant.

96 2. The supervisory physician must notify the department of
97 her or his intent to delegate, on a department-approved form,
98 before delegating such authority and notify the department of
99 any change in prescriptive privileges of the physician
100 assistant. Authority to dispense may be delegated only by a
101 supervisory physician who is registered as a dispensing
102 practitioner in compliance with s. 465.0276.

103 3. The physician assistant must file with the department a
104 signed affidavit that she or he has completed a minimum of 10
105 continuing medical education hours in the specialty practice in
106 which the physician assistant has prescriptive privileges with
107 each licensure renewal application.

108 4. The department may issue a prescriber number to the
109 physician assistant granting authority for the prescribing of
110 medicinal drugs authorized within this paragraph upon completion
111 of the foregoing requirements. The physician assistant shall not
112 be required to independently register pursuant to s. 465.0276.

113 5. The prescription must be written in a form that complies
114 with chapter 499 and must contain, in addition to the
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118 prescription must be filled in a pharmacy permitted under
119 chapter 465, and must be dispensed in that pharmacy by a
120 pharmacist licensed under chapter 465. The appearance of the
121 prescriber number creates a presumption that the physician
122 assistant is authorized to prescribe the medicinal drug and the
123 prescription is valid.

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

126 ~~7. This paragraph does not prohibit a supervisory physician~~
127 ~~from delegating to a physician assistant the authority to order~~
128 ~~medication for a hospitalized patient of the supervisory~~
129 ~~physician.~~

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

133 (f) A supervisory physician may delegate to a licensed
134 physician assistant the authority to order medications for the
135 supervisory physician's patient in a facility licensed under
136 chapter 395, notwithstanding any provisions in chapter 465 or
137 chapter 893 which may prohibit this delegation. For the purpose
138 of this paragraph, an order is not considered a prescription. A
139 licensed physician assistant working in a facility that is
140 licensed under chapter 395 may order any medication under the
141 direction of the supervisory physician.

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