

By the Committees on Banking and Insurance; and Health Policy;
and Senator Bean

597-02426-13

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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,

597-02426-13

2013398c2

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

597-02426-13

2013398c2

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 during his or her care in a
73 facility licensed under chapter 395, notwithstanding any
74 provisions in chapter 465 or chapter 893 which may prohibit this
75 delegation. For the purpose of this paragraph, an order is not
76 considered a prescription. A licensed physician assistant
77 working in a facility that is licensed under chapter 395 may
78 order any medication under the direction of the supervisory
79 physician.

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

83 459.022 Physician assistants.—

84 (4) PERFORMANCE OF PHYSICIAN ASSISTANTS.—

85 (e) A supervisory physician may delegate to a fully
86 licensed physician assistant the authority to prescribe or
87 dispense any medication used in the supervisory physician's

597-02426-13

2013398c2

88 practice unless such medication is listed on the formulary
89 created pursuant to s. 458.347. A fully licensed physician
90 assistant may only prescribe or dispense such medication under
91 the following circumstances:

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

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

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

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

114 5. The prescription must be written in a form that complies
115 with chapter 499 and must contain, in addition to the
116 supervisory physician's name, address, and telephone number, the

597-02426-13

2013398c2

117 physician assistant's prescriber number. Unless it is a drug or
118 drug sample dispensed by the physician assistant, the
119 prescription must be filled in a pharmacy permitted under
120 chapter 465, and must be dispensed in that pharmacy by a
121 pharmacist licensed under chapter 465. The appearance of the
122 prescriber number creates a presumption that the physician
123 assistant is authorized to prescribe the medicinal drug and the
124 prescription is valid.

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

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

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

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

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