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LEGISLATIVE ACTION

Senate	.	House
Comm: FAV	.	
04/02/2014	.	
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The Committee on Health Policy (Brandes) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Subsection (3), paragraph (e) of subsection (4),
and paragraphs (a), (c), and (e) of subsection (7) of section
458.347, Florida Statutes, are amended to read:

458.347 Physician assistants.—

(3) PERFORMANCE OF SUPERVISING PHYSICIAN.—Each physician or
group of physicians supervising a licensed physician assistant



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11 must be qualified in the medical areas in which the physician
12 assistant is to perform and shall be individually or
13 collectively responsible and liable for the performance and the
14 acts and omissions of the physician assistant. A physician may
15 not supervise more than five ~~four~~ currently licensed physician
16 assistants at any one time. A physician supervising a physician
17 assistant pursuant to this section may not be required to review
18 and cosign charts or medical records prepared by such physician
19 assistant. Notwithstanding this subsection, a physician may only
20 supervise up to four physician assistants in an office regulated
21 under s. 458.348(4)(c) or s. 459.025(3)(c).

22 (4) PERFORMANCE OF PHYSICIAN ASSISTANTS.—

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

30 1. A physician assistant must clearly identify to the
31 patient that he or she is a physician assistant. Furthermore,
32 the physician assistant must inform the patient that the patient
33 has the right to see the physician prior to any prescription
34 being prescribed or dispensed by the physician assistant.

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



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40 supervising physician who is registered as a dispensing
41 practitioner in compliance with s. 465.0276.

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

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

52 5. The prescription may ~~must~~ be written or electronic, but
53 must be in a form that complies with ss. 456.0392(1) and
54 456.42(1), ~~chapter 499~~ and must contain, in addition to the
55 supervisory physician's name, address, and telephone number, the
56 physician assistant's prescriber number. Unless it is a drug or
57 drug sample dispensed by the physician assistant, the
58 prescription must be filled in a pharmacy permitted under
59 chapter 465 and must be dispensed in that pharmacy by a
60 pharmacist licensed under chapter 465. The appearance of the
61 prescriber number creates a presumption that the physician
62 assistant is authorized to prescribe the medicinal drug and the
63 prescription is valid.

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

66 (7) PHYSICIAN ASSISTANT LICENSURE.—

67 (a) Any person desiring to be licensed as a physician
68 assistant must apply to the department. The department shall



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69 issue a license to any person certified by the council as having
70 met the following requirements:

71 1. Is at least 18 years of age.

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

82 3. Has completed the application form and remitted an
83 application fee not to exceed \$300 as set by the boards. An
84 application for licensure made by a physician assistant must
85 include:

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

88 b. A ~~sworn~~ statement of any prior felony convictions.

89 c. A ~~sworn~~ statement of any previous revocation or denial
90 of licensure or certification in any state.

91 ~~d. Two letters of recommendation.~~

92 ~~d.e.~~ A copy of course transcripts and a copy of the course
93 description from a physician assistant training program
94 describing course content in pharmacotherapy, if the applicant
95 wishes to apply for prescribing authority. These documents must
96 meet the evidence requirements for prescribing authority.

97 e. As of January 1, 2015, for physician assistants seeking



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98 initial licensure, fingerprints pursuant to the procedures
99 established in s. 456.0135.

100 (c) The license must be renewed biennially. Each renewal
101 must include:

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

103 2. A ~~sworn~~ statement of no felony convictions in the
104 previous 2 years.

105 (e) Upon employment as a physician assistant, a licensed
106 physician assistant must notify the department in writing within
107 30 days after such employment and provide ~~or after any~~
108 ~~subsequent changes in the supervising physician. The~~
109 ~~notification must include~~ the full name, Florida medical license
110 number, specialty, and address of a designated ~~the~~ supervising
111 physician. Any subsequent change in the designated supervising
112 physician shall be reported by the physician assistant to the
113 department within 30 days after the change. The assignment of a
114 designated supervising physician does not preclude a physician
115 assistant from practicing under multiple supervising physicians.

116 Section 2. Paragraph (c) of subsection (4) of section
117 458.348, Florida Statutes, is amended to read:

118 458.348 Formal supervisory relationships, standing orders,
119 and established protocols; notice; standards.—

120 (4) SUPERVISORY RELATIONSHIPS IN MEDICAL OFFICE SETTINGS.—A
121 physician who supervises an advanced registered nurse
122 practitioner or physician assistant at a medical office other
123 than the physician's primary practice location, where the
124 advanced registered nurse practitioner or physician assistant is
125 not under the onsite supervision of a supervising physician,
126 must comply with the standards set forth in this subsection. For



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127 the purpose of this subsection, a physician's "primary practice
128 location" means the address reflected on the physician's profile
129 published pursuant to s. 456.041.

130 (c) A physician who supervises an advanced registered nurse
131 practitioner or physician assistant at a medical office other
132 than the physician's primary practice location, where the
133 advanced registered nurse practitioner or physician assistant is
134 not under the onsite supervision of a supervising physician and
135 the services offered at the office are primarily dermatologic or
136 skin care services, which include aesthetic skin care services
137 other than plastic surgery, must comply with the standards
138 listed in subparagraphs 1.-4. Notwithstanding s.
139 458.347(4)(e)6., a physician supervising a physician assistant
140 pursuant to this paragraph may not be required to review and
141 cosign charts or medical records prepared by such physician
142 assistant.

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

147 2. The physician must be board certified or board eligible
148 in dermatology or plastic surgery as recognized by the board
149 pursuant to s. 458.3312.

150 3. All such offices that are not the physician's primary
151 place of practice must be within 25 miles of the physician's
152 primary place of practice or in a county that is contiguous to
153 the county of the physician's primary place of practice.
154 However, the distance between any of the offices may not exceed
155 75 miles.



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156 4. The physician may supervise only one office other than
157 the physician's primary place of practice except that until July
158 1, 2011, the physician may supervise up to two medical offices
159 other than the physician's primary place of practice if the
160 addresses of the offices are submitted to the board before July
161 1, 2006. Effective July 1, 2011, the physician may supervise
162 only one office other than the physician's primary place of
163 practice, regardless of when the addresses of the offices were
164 submitted to the board.

165 5.a. Subparagraphs 2. and 4. do not apply to an office
166 where nonablative aesthetic skin care services are being
167 performed by a physician assistant under the supervision of a
168 physician if the physician assistant has successfully completed
169 at least:

170 (I) Eighty hours of education and clinical training on
171 physiology of the skin, skin conditions, skin disorders, skin
172 diseases, pre- and post-skin procedure care, and infection
173 control;

174 (II) Ten hours of education and clinical training on laser
175 and light technologies and skin applications; and

176 (III) Thirty-two hours of education and clinical training
177 on injectables and fillers.

178 b. As used in this paragraph, the term "nonablative
179 aesthetic services" includes, but is not limited to, services
180 provided using intense pulsed light, lasers, radio frequency,
181 ultrasound, injectables, and fillers. The supervising physician
182 shall submit to the board documentation evidencing successful
183 completion of the education and training required by this
184 paragraph for the physician assistants that he or she is



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185 supervising. A physician may not supervise more than two offices
186 in addition to the physician's primary practice location.

187 Section 3. Subsection (3), paragraph (e) of subsection (4),
188 and paragraphs (a), (b), and (d) of subsection (7) of section
189 459.022, Florida Statutes, are amended to read:

190 459.022 Physician assistants.—

191 (3) PERFORMANCE OF SUPERVISING PHYSICIAN.—Each physician or
192 group of physicians supervising a licensed physician assistant
193 must be qualified in the medical areas in which the physician
194 assistant is to perform and shall be individually or
195 collectively responsible and liable for the performance and the
196 acts and omissions of the physician assistant. A physician may
197 not supervise more than five ~~four~~ currently licensed physician
198 assistants at any one time. A physician supervising a physician
199 assistant pursuant to this section may not be required to review
200 and cosign charts or medical records prepared by such physician
201 assistant. Notwithstanding this subsection, a physician may only
202 supervise up to four physician assistants in an office regulated
203 under s. 458.348(4)(c) or s. 459.025(3)(c).

204 (4) PERFORMANCE OF PHYSICIAN ASSISTANTS.—

205 (e) A supervisory physician may delegate to a fully
206 licensed physician assistant the authority to prescribe or
207 dispense any medication used in the supervisory physician's
208 practice unless such medication is listed on the formulary
209 created pursuant to s. 458.347. A fully licensed physician
210 assistant may only prescribe or dispense such medication under
211 the following circumstances:

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



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214 the physician assistant must inform the patient that the patient
215 has the right to see the physician prior to any prescription
216 being prescribed or dispensed by the physician assistant.

217 2. The supervisory physician must notify the department of
218 her or his intent to delegate, on a department-approved form,
219 before delegating such authority and notify the department of
220 any change in prescriptive privileges of the physician
221 assistant. Authority to dispense may be delegated only by a
222 supervisory physician who is registered as a dispensing
223 practitioner in compliance with s. 465.0276.

224 3. The physician assistant must certify to ~~file with~~ the
225 department ~~a signed affidavit~~ that she or he has completed a
226 minimum of 10 continuing medical education hours in the
227 specialty practice in which the physician assistant has
228 prescriptive privileges with each licensure renewal application.

229 4. The department may issue a prescriber number to the
230 physician assistant granting authority for the prescribing of
231 medicinal drugs authorized within this paragraph upon completion
232 of the foregoing requirements. The physician assistant shall not
233 be required to independently register pursuant to s. 465.0276.

234 5. The prescription may ~~must~~ be written or electronic, but
235 must be in a form that complies with ss. 456.0392(1) and
236 456.42(1) ~~chapter 499~~ and must contain, in addition to the
237 supervisory physician's name, address, and telephone number, the
238 physician assistant's prescriber number. Unless it is a drug or
239 drug sample dispensed by the physician assistant, the
240 prescription must be filled in a pharmacy permitted under
241 chapter 465, and must be dispensed in that pharmacy by a
242 pharmacist licensed under chapter 465. The appearance of the



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243 prescriber number creates a presumption that the physician
244 assistant is authorized to prescribe the medicinal drug and the
245 prescription is valid.

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

248 (7) PHYSICIAN ASSISTANT LICENSURE.—

249 (a) Any person desiring to be licensed as a physician
250 assistant must apply to the department. The department shall
251 issue a license to any person certified by the council as having
252 met the following requirements:

253 1. Is at least 18 years of age.

254 2. Has satisfactorily passed a proficiency examination by
255 an acceptable score established by the National Commission on
256 Certification of Physician Assistants. If an applicant does not
257 hold a current certificate issued by the National Commission on
258 Certification of Physician Assistants and has not actively
259 practiced as a physician assistant within the immediately
260 preceding 4 years, the applicant must retake and successfully
261 complete the entry-level examination of the National Commission
262 on Certification of Physician Assistants to be eligible for
263 licensure.

264 3. Has completed the application form and remitted an
265 application fee not to exceed \$300 as set by the boards. An
266 application for licensure made by a physician assistant must
267 include:

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

270 b. A ~~sworn~~ statement of any prior felony convictions.

271 c. A ~~sworn~~ statement of any previous revocation or denial



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272 of licensure or certification in any state.

273 ~~d. Two letters of recommendation.~~

274 ~~d.e.~~ A copy of course transcripts and a copy of the course
275 description from a physician assistant training program
276 describing course content in pharmacotherapy, if the applicant
277 wishes to apply for prescribing authority. These documents must
278 meet the evidence requirements for prescribing authority.

279 e. As of January 1, 2015, for physician assistants seeking
280 initial licensure, fingerprints pursuant to the procedures
281 established in s. 456.0135.

282 (b) The licensure must be renewed biennially. Each renewal
283 must include:

- 284 1. A renewal fee not to exceed \$500 as set by the boards.
285 2. A ~~sworn~~ statement of no felony convictions in the
286 previous 2 years.

287 (d) Upon employment as a physician assistant, a licensed
288 physician assistant must notify the department in writing within
289 30 days after such employment and provide ~~or after any~~
290 ~~subsequent changes in the supervising physician. The~~
291 ~~notification must include~~ the full name, Florida medical license
292 number, specialty, and address of a designated ~~the~~ supervising
293 physician. Any subsequent change in the designated supervising
294 physician shall be reported by the physician assistant to the
295 department within 30 days after the change. The assignment of a
296 designated supervising physician does not preclude a physician
297 assistant from practicing under multiple supervising physicians.

298 Section 4. This act shall take effect July 1, 2014.

299
300 ===== T I T L E A M E N D M E N T =====



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301 And the title is amended as follows:

302 Delete everything before the enacting clause
303 and insert:

304 A bill to be entitled

305 An act relating to physician assistants; amending s.
306 458.347, F.S.; increasing the number of licensed
307 physician assistants that a physician may supervise at
308 any one time; providing an exception; revising
309 circumstances under which a physician assistant is
310 authorized to prescribe or dispense medication;
311 specifying that a prescription may be in written or
312 electronic form and must meet certain requirements;
313 revising application requirements for licensure as a
314 physician assistant and license renewal; revising the
315 notification requirements for a physician assistant to
316 the Department of Health upon employment as a
317 physician assistant; amending s. 458.348, F.S.;
318 providing exceptions to the requirements for
319 supervising physician assistants at offices providing
320 certain skin care services under certain
321 circumstances; defining the term "nonablative
322 aesthetic services"; requiring a supervising physician
323 to submit to the Board of Medicine certain
324 documentation regarding the physician assistant;
325 limiting the number of offices that such physician may
326 supervise in addition to his or her primary practice
327 location; amending s. 459.022, F.S.; increasing the
328 number of licensed physician assistants that a
329 physician may supervise at any one time; providing an



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330 exception; revising circumstances under which a
331 physician assistant is authorized to prescribe or
332 dispense medication; specifying that a prescription
333 may be in written or electronic form and must meet
334 certain requirements; revising application
335 requirements for licensure as a physician assistant
336 and license renewal; revising the notification
337 requirements for a physician assistant to the
338 Department of Health upon employment as a physician
339 assistant; providing an effective date.