

By Senator Hays

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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.; increasing the number of
4 licensed physician assistants that a physician may
5 supervise at any one time; revising circumstances
6 under which a physician assistant is authorized to
7 prescribe or dispense medication; revising application
8 requirements for licensure as a physician assistant
9 and license renewal; providing an effective date.

10
11 Be It Enacted by the Legislature of the State of Florida:

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

16 458.347 Physician assistants.—

17 (3) PERFORMANCE OF SUPERVISING PHYSICIAN.—Each physician or
18 group of physicians supervising a licensed physician assistant
19 must be qualified in the medical areas in which the physician
20 assistant is to perform and shall be individually or
21 collectively responsible and liable for the performance and the
22 acts and omissions of the physician assistant. A physician may
23 not supervise more than eight ~~four~~ currently licensed physician
24 assistants at any one time. A physician supervising a physician
25 assistant pursuant to this section may not be required to review
26 and cosign charts or medical records prepared by such physician
27 assistant.

28 (4) PERFORMANCE OF PHYSICIAN ASSISTANTS.—

29 (e) A supervisory physician may delegate to a fully

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30 licensed physician assistant the authority to prescribe or
31 dispense any medication used in the supervisory physician's
32 practice unless such medication is listed on the formulary
33 created pursuant to paragraph (f). A fully licensed physician
34 assistant may only prescribe or dispense such medication under
35 the following circumstances:

36 1. A physician assistant must clearly identify to the
37 patient that he or she is a physician assistant. Furthermore,
38 the physician assistant must inform the patient that the patient
39 has the right to see the physician prior to any prescription
40 being prescribed or dispensed by the physician assistant.

41 2. The supervisory physician must notify the department of
42 his or her intent to delegate, on a department-approved form,
43 before delegating such authority and notify the department of
44 any change in prescriptive privileges of the physician
45 assistant. Authority to dispense may be delegated only by a
46 supervising physician who is registered as a dispensing
47 practitioner in compliance with s. 465.0276.

48 3. The physician assistant must certify to ~~file with~~ the
49 department ~~a signed affidavit~~ that he or she has completed a
50 minimum of 10 continuing medical education hours in the
51 specialty practice in which the physician assistant has
52 prescriptive privileges with each licensure renewal application.

53 4. The department may issue a prescriber number to the
54 physician assistant granting authority for the prescribing of
55 medicinal drugs authorized within this paragraph upon completion
56 of the foregoing requirements. The physician assistant shall not
57 be required to independently register pursuant to s. 465.0276.

58 5. The prescription must be written in a form that complies

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59 with chapter 499 and must contain, in addition to the
60 supervisory physician's name, address, and telephone number, the
61 physician assistant's prescriber number. Unless it is a drug or
62 drug sample dispensed by the physician assistant, the
63 prescription must be filled in a pharmacy permitted under
64 chapter 465 and must be dispensed in that pharmacy by a
65 pharmacist licensed under chapter 465. The appearance of the
66 prescriber number creates a presumption that the physician
67 assistant is authorized to prescribe the medicinal drug and the
68 prescription is valid.

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

71 (7) PHYSICIAN ASSISTANT LICENSURE.—

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

76 1. Is at least 18 years of age.

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

87 3. Has completed the application form and remitted an

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88 application fee not to exceed \$300 as set by the boards. An
89 application for licensure made by a physician assistant must
90 include:

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

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

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

96 ~~d. Two letters of recommendation.~~

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

102 (c) The license must be renewed biennially. Each renewal
103 must include:

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

105 2. A ~~sworn~~ statement of no felony convictions in the
106 previous 2 years.

107 Section 2. Subsection (3), paragraph (e) of subsection (4),
108 and paragraphs (a) and (b) of subsection (7) of section 459.022,
109 Florida Statutes, are amended to read:

110 459.022 Physician assistants.—

111 (3) PERFORMANCE OF SUPERVISING PHYSICIAN.—Each physician or
112 group of physicians supervising a licensed physician assistant
113 must be qualified in the medical areas in which the physician
114 assistant is to perform and shall be individually or
115 collectively responsible and liable for the performance and the
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117 not supervise more than eight ~~four~~ currently licensed physician
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120 and cosign charts or medical records prepared by such physician
121 assistant.

122 (4) PERFORMANCE OF PHYSICIAN ASSISTANTS.—

123 (e) A supervisory physician may delegate to a fully
124 licensed physician assistant the authority to prescribe or
125 dispense any medication used in the supervisory physician's
126 practice unless such medication is listed on the formulary
127 created pursuant to s. 458.347. A fully licensed physician
128 assistant may only prescribe or dispense such medication under
129 the following circumstances:

130 1. A physician assistant must clearly identify to the
131 patient that she or he is a physician assistant. Furthermore,
132 the physician assistant must inform the patient that the patient
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136 her or his intent to delegate, on a department-approved form,
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150 of the foregoing requirements. The physician assistant shall not
151 be required to independently register pursuant to s. 465.0276.

152 5. The prescription must be written in a form that complies
153 with chapter 499 and must contain, in addition to the
154 supervisory physician's name, address, and telephone number, the
155 physician assistant's prescriber number. Unless it is a drug or
156 drug sample dispensed by the physician assistant, the
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158 chapter 465, and must be dispensed in that pharmacy by a
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175 Certification of Physician Assistants and has not actively
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193 describing course content in pharmacotherapy, if the applicant
194 wishes to apply for prescribing authority. These documents must
195 meet the evidence requirements for prescribing authority.

196 (b) The licensure must be renewed biennially. Each renewal
197 must include:

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

199 2. A ~~sworn~~ statement of no felony convictions in the
200 previous 2 years.

201 Section 3. This act shall take effect July 1, 2014.