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LEGISLATIVE ACTION

Senate

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House

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Floor: WD/2R

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04/28/2014 07:10 PM

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Senator Hays moved the following:

**Senate Amendment (with title amendment)**

Between lines 167 and 168

insert:

Section 2. 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 must be qualified in the medical areas in which the physician



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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  
20 supervise only up to four physician assistants in medical  
21 offices other than the physician's primary practice location  
22 pursuant to s. 458.348(4)(c).

23 (4) PERFORMANCE OF PHYSICIAN ASSISTANTS.—

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

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

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



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

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

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

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

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

67 (7) PHYSICIAN ASSISTANT LICENSURE.—

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



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

72 1. Is at least 18 years of age.

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

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

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

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

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

92 ~~d. Two letters of recommendation.~~

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

98 e. For physician assistants seeking initial licensure on or



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99 after January 1, 2015, fingerprints pursuant to 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 to the department within 30 days  
113 after the change. Assignment of a designated supervising  
114 physician does not preclude a physician assistant from  
115 practicing under multiple supervising physicians.

116 Section 3. Subsection (3), paragraph (e) of subsection (4),  
117 and paragraphs (a), (b), and (d) of subsection (7) of section  
118 459.022, Florida Statutes, are amended to read:

119 459.022 Physician assistants.—

120 (3) PERFORMANCE OF SUPERVISING PHYSICIAN.—Each physician or  
121 group of physicians supervising a licensed physician assistant  
122 must be qualified in the medical areas in which the physician  
123 assistant is to perform and shall be individually or  
124 collectively responsible and liable for the performance and the  
125 acts and omissions of the physician assistant. A physician may  
126 not supervise more than five ~~four~~ currently licensed physician  
127 assistants at any one time. A physician supervising a physician



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128 assistant pursuant to this section may not be required to review  
129 and cosign charts or medical records prepared by such physician  
130 assistant. Notwithstanding this subsection, a physician may only  
131 supervise up to four physician assistants in medical offices  
132 other than the physician's primary practice location pursuant to  
133 s. 459.025(3)(c).

134 (4) PERFORMANCE OF PHYSICIAN ASSISTANTS.—

135 (e) A supervisory physician may delegate to a fully  
136 licensed physician assistant the authority to prescribe or  
137 dispense any medication used in the supervisory physician's  
138 practice unless such medication is listed on the formulary  
139 created pursuant to s. 458.347. A fully licensed physician  
140 assistant may only prescribe or dispense such medication under  
141 the following circumstances:

142 1. A physician assistant must clearly identify to the  
143 patient that she or he is a physician assistant. Furthermore,  
144 the physician assistant must inform the patient that the patient  
145 has the right to see the physician prior to any prescription  
146 being prescribed or dispensed by the physician assistant.

147 2. The supervisory physician must notify the department of  
148 her or his intent to delegate, on a department-approved form,  
149 before delegating such authority and notify the department of  
150 any change in prescriptive privileges of the physician  
151 assistant. Authority to dispense may be delegated only by a  
152 supervisory physician who is registered as a dispensing  
153 practitioner in compliance with s. 465.0276.

154 3. The physician assistant must certify to ~~file with~~ the  
155 department ~~a signed affidavit~~ that she or he has completed a  
156 minimum of 10 continuing medical education hours in the



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157 specialty practice in which the physician assistant has  
158 prescriptive privileges with each licensure renewal application.

159 4. The department may issue a prescriber number to the  
160 physician assistant granting authority for the prescribing of  
161 medicinal drugs authorized within this paragraph upon completion  
162 of the foregoing requirements. The physician assistant shall not  
163 be required to independently register pursuant to s. 465.0276.

164 5. The prescription may ~~must~~ be written or electronic, but  
165 must be in a form that complies with ss. 456.0392(1) and  
166 456.42(1) chapter 499 and must contain, in addition to the  
167 supervisory physician's name, address, and telephone number, the  
168 physician assistant's prescriber number. Unless it is a drug or  
169 drug sample dispensed by the physician assistant, the  
170 prescription must be filled in a pharmacy permitted under  
171 chapter 465, and must be dispensed in that pharmacy by a  
172 pharmacist licensed under chapter 465. The appearance of the  
173 prescriber number creates a presumption that the physician  
174 assistant is authorized to prescribe the medicinal drug and the  
175 prescription is valid.

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

178 (7) PHYSICIAN ASSISTANT LICENSURE.—

179 (a) Any person desiring to be licensed as a physician  
180 assistant must apply to the department. The department shall  
181 issue a license to any person certified by the council as having  
182 met the following requirements:

183 1. Is at least 18 years of age.

184 2. Has satisfactorily passed a proficiency examination by  
185 an acceptable score established by the National Commission on



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186 Certification of Physician Assistants. If an applicant does not  
187 hold a current certificate issued by the National Commission on  
188 Certification of Physician Assistants and has not actively  
189 practiced as a physician assistant within the immediately  
190 preceding 4 years, the applicant must retake and successfully  
191 complete the entry-level examination of the National Commission  
192 on Certification of Physician Assistants to be eligible for  
193 licensure.

194 3. Has completed the application form and remitted an  
195 application fee not to exceed \$300 as set by the boards. An  
196 application for licensure made by a physician assistant must  
197 include:

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

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

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

203 ~~d. Two letters of recommendation.~~

204 ~~d.e.~~ A copy of course transcripts and a copy of the course  
205 description from a physician assistant training program  
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207 wishes to apply for prescribing authority. These documents must  
208 meet the evidence requirements for prescribing authority.

209 e. For physician assistants seeking initial licensure on or  
210 after January 1, 2015, fingerprints pursuant to s. 456.0135.

211 (b) The licensure must be renewed biennially. Each renewal  
212 must include:

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

214 2. A ~~sworn~~ statement of no felony convictions in the



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215 previous 2 years.

216 (d) Upon employment as a physician assistant, a licensed  
217 physician assistant must notify the department in writing within  
218 30 days after such employment and provide ~~or after any~~  
219 ~~subsequent changes in the supervising physician. The~~  
220 ~~notification must include~~ the full name, Florida medical license  
221 number, specialty, and address of a designated ~~the~~ supervising  
222 physician. Any subsequent change in the designated supervising  
223 physician shall be reported to the department within 30 days  
224 after the change. Assignment of a designated supervising  
225 physician does not preclude a physician assistant from  
226 practicing under multiple supervising physicians.

227

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

229 And the title is amended as follows:

230 Between lines 14 and 15

231 insert:

232 amending ss. 458.347 and 459.022, F.S.; increasing the  
233 number of licensed physician assistants that a  
234 physician may supervise at any one time; providing an  
235 exception; revising circumstances under which a  
236 physician assistant is authorized to prescribe or  
237 dispense medication; revising requirements for  
238 medications prescribed or dispensed by physician  
239 assistants; revising application requirements for  
240 licensure as a physician assistant and license  
241 renewal;