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LEGISLATIVE ACTION

Senate

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House

Senator Hays moved the following:

Senate Amendment (with title amendment)

Between lines 2694 and 2695

insert:

Section 48. 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



764744

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 six ~~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 medical offices
21 other than the physician's primary practice location pursuant to
22 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



764744

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



764744

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



764744

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 49. 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
127 the purpose of this subsection, a physician's "primary practice



764744

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.

156 4. The physician may supervise only one office other than



764744

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. As used in this subparagraph, the term "nonablative
166 aesthetic skin care services" includes, but is not limited to,
167 services provided using intense pulsed light, lasers, radio
168 frequency, ultrasound, injectables, and fillers.

169 a. Subparagraph 2. does not apply to offices at which
170 nonablative aesthetic skin care services are performed by a
171 physician assistant under the supervision of a physician if the
172 physician assistant has successfully completed at least:

173 (I) Forty hours of postlicensure education and clinical
174 training on physiology of the skin, skin conditions, skin
175 disorders, skin diseases, preprocedure and postprocedure skin
176 care, and infection control, or has worked under the supervision
177 of a board-certified dermatologist within the preceding 12
178 months.

179 (II) Forty hours of postlicensure education and clinical
180 training on laser and light technologies and skin applications,
181 or has 6 months of clinical experience working under the
182 supervision of a board-certified dermatologist who is authorized
183 to perform nonablative aesthetic skin care services.

184 (III) Thirty-two hours of postlicensure education and
185 clinical training on injectables and fillers, or has 6 months of



764744

186 clinical experience working under the supervision of a board-
187 certified dermatologist who is authorized to perform nonablative
188 aesthetic skin care services.

189 b. The physician assistant shall submit to the board
190 documentation evidencing successful completion of the education
191 and training required under this subparagraph.

192 c. For purposes of compliance with s. 458.347(3), a
193 physician who has completed 24 hours of education and clinical
194 training on nonablative aesthetic skin care services, the
195 curriculum of which has been preapproved by the Board of
196 Medicine, is qualified to supervise a physician assistant
197 performing nonablative aesthetic skin care services pursuant to
198 this subparagraph.

199
200 ===== T I T L E A M E N D M E N T =====

201 And the title is amended as follows:

202 Delete line 292

203 and insert:

204 home health agencies; amending s. 458.347, F.S.;

205 increasing the number of licensed physician assistants

206 that a physician may supervise at any one time;

207 providing an exception; revising circumstances under

208 which a physician assistant is authorized to prescribe

209 or dispense medication; revising requirements for

210 medications prescribed or dispensed by physician

211 assistants; revising application requirements for

212 licensure as a physician assistant and license

213 renewal; amending s. 458.348, F.S.; defining the term

214 "nonablative aesthetic skin care services";



764744

215 authorizing a physician assistant who has completed
216 specified education and clinical training
217 requirements, or who has specified work or clinical
218 experience, to perform nonablative aesthetic skin care
219 services under the supervision of a physician;
220 providing that a physician must complete a specified
221 number of education and clinical training hours to be
222 qualified to supervise physician assistants performing
223 certain services; providing effective dates.