



726338

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/17/2015	.	
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The Committee on Health Policy (Grimsley) recommended the following:

Senate Amendment (with title amendment)

Delete lines 346 - 409
and insert:

Section 7. Paragraph (b) of subsection (2) of section
458.3265, Florida Statutes, is amended to read:

458.3265 Pain-management clinics.—

(2) PHYSICIAN RESPONSIBILITIES.—These responsibilities
apply to any physician who provides professional services in a



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11 pain-management clinic that is required to be registered in
12 subsection (1).

13 (b) A person may not dispense any medication on the
14 premises of a registered pain-management clinic unless he or she
15 is a physician licensed under this chapter or chapter 459. A
16 person may not prescribe any controlled substance regulated
17 under chapter 893 on the premises of a registered pain-
18 management clinic unless he or she is a physician licensed under
19 this chapter or chapter 459.

20 Section 8. Paragraph (f) of subsection (4) of section
21 458.347, Florida Statutes, is amended to read:

22 458.347 Physician assistants.—

23 (4) PERFORMANCE OF PHYSICIAN ASSISTANTS.—

24 (f)1. The council shall establish a formulary of medicinal
25 drugs that a fully licensed physician assistant having
26 prescribing authority under this section or s. 459.022 may not
27 prescribe. The formulary must include ~~controlled substances as~~
28 ~~defined in chapter 893,~~ general anesthetics, and radiographic
29 contrast materials.

30 2. In establishing the formulary, the council shall consult
31 with a pharmacist licensed under chapter 465, but not licensed
32 under this chapter or chapter 459, who shall be selected by the
33 State Surgeon General.

34 3. Only the council shall add to, delete from, or modify
35 the formulary. Any person who requests an addition, deletion, or
36 modification of a medicinal drug listed on such formulary has
37 the burden of proof to show cause why such addition, deletion,
38 or modification should be made.

39 4. The boards shall adopt the formulary required by this



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40 paragraph, and each addition, deletion, or modification to the
41 formulary, by rule. Notwithstanding any provision of chapter 120
42 to the contrary, the formulary rule shall be effective 60 days
43 after the date it is filed with the Secretary of State. Upon
44 adoption of the formulary, the department shall mail a copy of
45 such formulary to each fully licensed physician assistant having
46 prescribing authority under this section or s. 459.022, and to
47 each pharmacy licensed by the state. The boards shall establish,
48 by rule, a fee not to exceed \$200 to fund the provisions of this
49 paragraph and paragraph (e).

50 Section 9. Paragraph (b) of subsection (2) of section
51 459.0137, Florida Statutes, is amended to read:

52 459.0137 Pain-management clinics.—

53 (2) PHYSICIAN RESPONSIBILITIES.—These responsibilities
54 apply to any osteopathic physician who provides professional
55 services in a pain-management clinic that is required to be
56 registered in subsection (1).

57 (b) A person may not dispense any medication on the
58 premises of a registered pain-management clinic unless he or she
59 is a physician licensed under this chapter or chapter 458. A
60 person may not prescribe any controlled substance regulated
61 under chapter 893 on the premises of a registered pain-
62 management clinic unless he or she is a physician licensed under
63 this chapter or chapter 458.

64 Section 10. Section 464.012, Florida Statutes, is amended
65 to read:

66 464.012 Certification of advanced registered nurse
67 practitioners; fees; controlled substance prescribing.—

68 (1) Any nurse desiring to be certified as an advanced



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69 registered nurse practitioner shall apply to the department and
70 submit proof that he or she holds a current license to practice
71 professional nursing and that he or she meets one or more of the
72 following requirements as determined by the board:

73 (a) Satisfactory completion of a formal postbasic
74 educational program of at least one academic year, the primary
75 purpose of which is to prepare nurses for advanced or
76 specialized practice.

77 (b) Certification by an appropriate specialty board. Such
78 certification shall be required for initial state certification
79 and any recertification as a registered nurse anesthetist or
80 nurse midwife. The board may by rule provide for provisional
81 state certification of graduate nurse anesthetists and nurse
82 midwives for a period of time determined to be appropriate for
83 preparing for and passing the national certification
84 examination.

85 (c) Graduation from a program leading to a master's degree
86 in a nursing clinical specialty area with preparation in
87 specialized practitioner skills. For applicants graduating on or
88 after October 1, 1998, graduation from a master's degree program
89 shall be required for initial certification as a nurse
90 practitioner under paragraph (4) (c). For applicants graduating
91 on or after October 1, 2001, graduation from a master's degree
92 program shall be required for initial certification as a
93 registered nurse anesthetist under paragraph (4) (a).

94 (2) The board shall provide by rule the appropriate
95 requirements for advanced registered nurse practitioners in the
96 categories of certified registered nurse anesthetist, certified
97 nurse midwife, and nurse practitioner.



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

101 And the title is amended as follows:

102 Delete line 22

103 and insert:

104 practice; providing applicability; amending ss.
105 458.3265 and 459.0137, F.S.; limiting the authority to
106 prescribe a controlled substance in a pain-management
107 clinic to a physician licensed under chapter 458 or
108 chapter 459; amending s. 458.347,

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