

Amendment No.

CHAMBER ACTION

Senate

House

.

Representative Steube offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause and insert:

Section 1. Paragraph (e) of subsection (4) of section 458.347, Florida Statutes, is amended, paragraph (h) is added to that subsection, present paragraphs (c) through (h) of subsection (7) are redesignated as paragraphs (b) through (g), respectively, and present paragraphs (a), (b), (c), and (f) of that subsection are amended, to read:

458.347 Physician assistants.—

(4) PERFORMANCE OF PHYSICIAN ASSISTANTS.—

(e) A supervising ~~supervisory~~ physician may delegate to a fully licensed physician assistant the authority to prescribe or

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15 dispense any medication used in the supervising ~~supervisory~~
16 physician's practice unless such medication is listed on the
17 formulary created pursuant to paragraph (f). A fully licensed
18 physician assistant may only prescribe or dispense such
19 medication under the following circumstances:

20 1. A physician assistant must clearly identify to the
21 patient that he or she is a physician assistant. Furthermore,
22 the physician assistant must inform the patient that the patient
23 has the right to see the physician before ~~prior to~~ any
24 prescription is being prescribed or dispensed by the physician
25 assistant.

26 2. The supervising ~~supervisory~~ physician must notify the
27 department of his or her intent to delegate, on a department-
28 approved form, before delegating such authority and notify the
29 department of any change in prescriptive privileges of the
30 physician assistant. Authority to dispense may be delegated only
31 by a supervising physician who is registered as a dispensing
32 practitioner in compliance with s. 465.0276.

33 3. The physician assistant must acknowledge with ~~file with~~
34 the department ~~a signed affidavit~~ that he or she has completed a
35 minimum of 10 continuing medical education hours in the
36 specialty practice in which the physician assistant has
37 prescriptive privileges with each licensure renewal application.

38 4. The department may issue a prescriber number to the
39 physician assistant granting authority for the prescribing of
40 medicinal drugs authorized within this paragraph upon completion

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41 of the foregoing requirements. The physician assistant shall not
42 be required to independently register pursuant to s. 465.0276.

43 5. The prescription may ~~must~~ be ~~written~~ in paper or
44 electronic ~~a form~~ but must comply ~~that complies~~ with ss.
45 456.0392(1) and 456.42(1) and chapter 499 and must contain, in
46 addition to the supervising ~~supervisory~~ physician's name,
47 address, and telephone number, the physician assistant's
48 prescriber number. Unless it is a drug or drug sample dispensed
49 by the physician assistant, the prescription must be filled in a
50 pharmacy permitted under chapter 465 and must be dispensed in
51 that pharmacy by a pharmacist licensed under chapter 465. The
52 appearance of the prescriber number creates a presumption that
53 the physician assistant is authorized to prescribe the medicinal
54 drug and the prescription is valid.

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

57 (h) A licensed physician assistant may perform services
58 delegated by the supervising physician in the physician
59 assistant's practice in accordance with his or her education and
60 training unless expressly prohibited under this chapter, chapter
61 459, or rules adopted under this chapter or chapter 459.

62 (7) PHYSICIAN ASSISTANT LICENSURE.—

63 (a) Any person desiring to be licensed as a physician
64 assistant must apply to the department. The department shall
65 issue a license to any person certified by the council as having
66 met the following requirements:

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- 67 1. Is at least 18 years of age.
- 68 2. Has satisfactorily passed a proficiency examination by
69 an acceptable score established by the National Commission on
70 Certification of Physician Assistants. If an applicant does not
71 hold a current certificate issued by the National Commission on
72 Certification of Physician Assistants and has not actively
73 practiced as a physician assistant within the immediately
74 preceding 4 years, the applicant must retake and successfully
75 complete the entry-level examination of the National Commission
76 on Certification of Physician Assistants to be eligible for
77 licensure.
- 78 3. Has completed the application form and remitted an
79 application fee not to exceed \$300 as set by the boards. An
80 application for licensure made by a physician assistant must
81 include:
- 82 a. A certificate of completion of a physician assistant
83 training program specified in subsection (6).
- 84 b. Acknowledgment ~~A sworn statement~~ of any prior felony
85 convictions.
- 86 c. Acknowledgment ~~A sworn statement~~ of any previous
87 revocation or denial of licensure or certification in any state.
- 88 d. ~~Two letters of recommendation.~~
- 89 e. A copy of course transcripts and a copy of the course
90 description from a physician assistant training program
91 describing course content in pharmacotherapy, if the applicant

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112 wishes to apply for prescribing authority. These documents must
113 meet the evidence requirements for prescribing authority.

114 ~~(b)1. Notwithstanding subparagraph (a)2. and sub-~~
115 ~~subparagraph (a)3.a., the department shall examine each~~
116 ~~applicant who the Board of Medicine certifies:~~

117 ~~a. Has completed the application form and remitted a~~
118 ~~nonrefundable application fee not to exceed \$500 and an~~
119 ~~examination fee not to exceed \$300, plus the actual cost to the~~
120 ~~department to provide the examination. The examination fee is~~
121 ~~refundable if the applicant is found to be ineligible to take~~
122 ~~the examination. The department shall not require the applicant~~
123 ~~to pass a separate practical component of the examination. For~~
124 ~~examinations given after July 1, 1998, competencies measured~~
125 ~~through practical examinations shall be incorporated into the~~
126 ~~written examination through a multiple choice format. The~~
127 ~~department shall translate the examination into the native~~
128 ~~language of any applicant who requests and agrees to pay all~~
129 ~~costs of such translation, provided that the translation request~~
130 ~~is filed with the board office no later than 9 months before the~~
131 ~~scheduled examination and the applicant remits translation fees~~
132 ~~as specified by the department no later than 6 months before the~~
133 ~~scheduled examination, and provided that the applicant~~
134 ~~demonstrates to the department the ability to communicate orally~~
135 ~~in basic English. If the applicant is unable to pay translation~~
136 ~~costs, the applicant may take the next available examination in~~
137 ~~English if the applicant submits a request in writing by the~~

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118 ~~application deadline and if the applicant is otherwise eligible~~
119 ~~under this section. To demonstrate the ability to communicate~~
120 ~~orally in basic English, a passing score or grade is required,~~
121 ~~as determined by the department or organization that developed~~
122 ~~it, on the test for spoken English (TSE) by the Educational~~
123 ~~Testing Service (ETS), the test of English as a foreign language~~
124 ~~(TOEFL) by ETS, a high school or college level English course,~~
125 ~~or the English examination for citizenship, Bureau of~~
126 ~~Citizenship and Immigration Services. A notarized copy of an~~
127 ~~Educational Commission for Foreign Medical Graduates (ECFMG)~~
128 ~~certificate may also be used to demonstrate the ability to~~
129 ~~communicate in basic English; and~~

130 ~~b. Is an unlicensed physician who graduated from a foreign~~
131 ~~medical school listed with the World Health Organization who has~~
132 ~~not previously taken and failed the examination of the National~~
133 ~~Commission on Certification of Physician Assistants and who has~~
134 ~~been certified by the Board of Medicine as having met the~~
135 ~~requirements for licensure as a medical doctor by examination as~~
136 ~~set forth in s. 458.311(1), (3), (4), and (5), with the~~
137 ~~exception that the applicant is not required to have completed~~
138 ~~an approved residency of at least 1 year and the applicant is~~
139 ~~not required to have passed the licensing examination specified~~
140 ~~under s. 458.311 or hold a valid, active certificate issued by~~
141 ~~the Educational Commission for Foreign Medical Graduates; was~~
142 ~~eligible and made initial application for certification as a~~
143 ~~physician assistant in this state between July 1, 1990, and June~~

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144 ~~30, 1991; and was a resident of this state on July 1, 1990, or~~
145 ~~was licensed or certified in any state in the United States as a~~
146 ~~physician assistant on July 1, 1990.~~

147 ~~2. The department may grant temporary licensure to an~~
148 ~~applicant who meets the requirements of subparagraph 1. Between~~
149 ~~meetings of the council, the department may grant temporary~~
150 ~~licensure to practice based on the completion of all temporary~~
151 ~~licensure requirements. All such administratively issued~~
152 ~~licenses shall be reviewed and acted on at the next regular~~
153 ~~meeting of the council. A temporary license expires 30 days~~
154 ~~after receipt and notice of scores to the licenseholder from the~~
155 ~~first available examination specified in subparagraph 1.~~
156 ~~following licensure by the department. An applicant who fails~~
157 ~~the proficiency examination is no longer temporarily licensed,~~
158 ~~but may apply for a one-time extension of temporary licensure~~
159 ~~after reapplying for the next available examination. Extended~~
160 ~~licensure shall expire upon failure of the licenseholder to sit~~
161 ~~for the next available examination or upon receipt and notice of~~
162 ~~scores to the licenseholder from such examination.~~

163 ~~3. Notwithstanding any other provision of law, the~~
164 ~~examination specified pursuant to subparagraph 1. shall be~~
165 ~~administered by the department only five times. Applicants~~
166 ~~certified by the board for examination shall receive at least 6~~
167 ~~months' notice of eligibility prior to the administration of the~~
168 ~~initial examination. Subsequent examinations shall be~~
169 ~~administered at 1-year intervals following the reporting of the~~

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170 ~~scores of the first and subsequent examinations. For the~~
171 ~~purposes of this paragraph, the department may develop, contract~~
172 ~~for the development of, purchase, or approve an examination that~~
173 ~~adequately measures an applicant's ability to practice with~~
174 ~~reasonable skill and safety. The minimum passing score on the~~
175 ~~examination shall be established by the department, with the~~
176 ~~advice of the board. Those applicants failing to pass that~~
177 ~~examination or any subsequent examination shall receive notice~~
178 ~~of the administration of the next examination with the notice of~~
179 ~~scores following such examination. Any applicant who passes the~~
180 ~~examination and meets the requirements of this section shall be~~
181 ~~licensed as a physician assistant with all rights defined~~
182 ~~thereby.~~

183 ~~(e)~~ The license must be renewed biennially. Each renewal
184 must include:

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

188 ~~(e)~~~~(f)~~ Notwithstanding subparagraph (a)2., the department
189 may grant to a recent graduate of an approved program, as
190 specified in subsection (6), who expects to take the first
191 examination administered by the National Commission on
192 Certification of Physician Assistants available for registration
193 after the applicant's graduation, a temporary license. The
194 temporary license shall expire 30 days after receipt of scores
195 of the proficiency examination administered by the National

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196 Commission on Certification of Physician Assistants. Between
197 meetings of the council, the department may grant a temporary
198 license to practice based on the completion of all temporary
199 licensure requirements. All such administratively issued
200 licenses shall be reviewed and acted on at the next regular
201 meeting of the council. The recent graduate may be licensed
202 before ~~prior to~~ employment, but must comply with paragraph (d)
203 ~~(e)~~. An applicant who has passed the proficiency
204 examination may be granted permanent licensure. An applicant
205 failing the proficiency examination is no longer temporarily
206 licensed, but may reapply for a 1-year extension of temporary
207 licensure. An applicant may not be granted more than two
208 temporary licenses and may not be licensed as a physician
209 assistant until he or she passes the examination administered by
210 the National Commission on Certification of Physician
211 Assistants. As prescribed by board rule, the council may require
212 an applicant who does not pass the licensing examination after
213 five or more attempts to complete additional remedial education
214 or training. The council shall prescribe the additional
215 requirements in a manner that permits the applicant to complete
216 the requirements and be reexamined within 2 years after the date
217 the applicant petitions the council to retake the examination a
218 sixth or subsequent time.

219 Section 2. Paragraph (e) of subsection (4) of section
220 459.022, Florida Statutes, is amended, paragraph (g) is added to

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221 that subsection, and paragraphs (a) and (b) of subsection (7) of
222 that section are amended, to read:

223 459.022 Physician assistants.—

224 (4) PERFORMANCE OF PHYSICIAN ASSISTANTS.—

225 (e) A supervising ~~supervisory~~ physician may delegate to a
226 fully licensed physician assistant the authority to prescribe or
227 dispense any medication used in the supervising ~~supervisory~~
228 physician's practice unless such medication is listed on the
229 formulary created pursuant to s. 458.347. A fully licensed
230 physician assistant may only prescribe or dispense such
231 medication under the following circumstances:

232 1. A physician assistant must clearly identify to the
233 patient that she or he is a physician assistant. Furthermore,
234 the physician assistant must inform the patient that the patient
235 has the right to see the physician before ~~prior to~~ any
236 prescription is being prescribed or dispensed by the physician
237 assistant.

238 2. The supervising ~~supervisory~~ physician must notify the
239 department of her or his intent to delegate, on a department-
240 approved form, before delegating such authority and notify the
241 department of any change in prescriptive privileges of the
242 physician assistant. Authority to dispense may be delegated only
243 by a supervising ~~supervisory~~ physician who is registered as a
244 dispensing practitioner in compliance with s. 465.0276.

245 3. The physician assistant must acknowledge with ~~file with~~
246 the department ~~a signed affidavit~~ that she or he has completed a

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247 minimum of 10 continuing medical education hours in the
248 specialty practice in which the physician assistant has
249 prescriptive privileges with each licensure renewal application.

250 4. The department may issue a prescriber number to the
251 physician assistant granting authority for the prescribing of
252 medicinal drugs authorized within this paragraph upon completion
253 of the foregoing requirements. The physician assistant shall not
254 be required to independently register pursuant to s. 465.0276.

255 5. The prescription may ~~must~~ be ~~written~~ in paper or
256 electronic ~~a form~~ but must comply ~~that complies~~ with ss.
257 456.0392(1) and 456.42(1) and chapter 499 and must contain, in
258 addition to the supervising ~~supervisory~~ physician's name,
259 address, and telephone number, the physician assistant's
260 prescriber number. Unless it is a drug or drug sample dispensed
261 by the physician assistant, the prescription must be filled in a
262 pharmacy permitted under chapter 465, and must be dispensed in
263 that pharmacy by a pharmacist licensed under chapter 465. The
264 appearance of the prescriber number creates a presumption that
265 the physician assistant is authorized to prescribe the medicinal
266 drug and the prescription is valid.

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

269 (g) A licensed physician assistant may perform services
270 delegated by the supervising physician in the physician
271 assistant's practice in accordance with his or her education and

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272 training unless expressly prohibited under this chapter, chapter
273 458, or rules adopted under this chapter or chapter 458.

274 (7) PHYSICIAN ASSISTANT LICENSURE.—

275 (a) Any person desiring to be licensed as a physician
276 assistant must apply to the department. The department shall
277 issue a license to any person certified by the council as having
278 met the following requirements:

279 1. Is at least 18 years of age.

280 2. Has satisfactorily passed a proficiency examination by
281 an acceptable score established by the National Commission on
282 Certification of Physician Assistants. If an applicant does not
283 hold a current certificate issued by the National Commission on
284 Certification of Physician Assistants and has not actively
285 practiced as a physician assistant within the immediately
286 preceding 4 years, the applicant must retake and successfully
287 complete the entry-level examination of the National Commission
288 on Certification of Physician Assistants to be eligible for
289 licensure.

290 3. Has completed the application form and remitted an
291 application fee not to exceed \$300 as set by the boards. An
292 application for licensure made by a physician assistant must
293 include:

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

296 b. Acknowledgment ~~A sworn statement~~ of any prior felony
297 convictions.

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298 c. Acknowledgment ~~A sworn statement~~ of any previous
299 revocation or denial of licensure or certification in any state.

300 d. ~~Two letters of recommendation.~~

301 e. A copy of course transcripts and a copy of the course
302 description from a physician assistant training program
303 describing course content in pharmacotherapy, if the applicant
304 wishes to apply for prescribing authority. These documents must
305 meet the evidence requirements for prescribing authority.

306 (b) The licensure must be renewed biennially. Each renewal
307 must include:

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

311 Section 3. This act shall take effect July 1, 2016.

312
313 -----

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

314 Remove everything before the enacting clause and insert:

315 A bill to be entitled

316 An act relating to physician assistants; amending s.
317 458.347, F.S.; revising circumstances under which a
318 physician assistant may prescribe medication;
319 authorizing a licensed physician assistant to perform
320 certain services as delegated by a supervising
321 physician; revising physician assistant licensure and
322 license renewal requirements; removing a requirement
323

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324 for letters of recommendation; deleting provisions
325 related to examination by the Department of Health;
326 amending s. 459.022, F.S.; revising circumstances
327 under which a physician assistant may prescribe
328 medication; authorizing a licensed physician assistant
329 to perform certain services as delegated by a
330 supervising physician; revising physician assistant
331 licensure and license renewal requirements; removing a
332 requirement for letters of recommendation; providing
333 an effective date.

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