

Amendment No.

CHAMBER ACTION

Senate

House

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Representative Rommel offered the following:

Amendment (with title amendment)

Remove lines 110-482 and insert:

acts and omissions of the physician assistant. A physician may not supervise more than 10 ~~four~~ currently licensed physician assistants at any one time. A physician supervising a physician assistant pursuant to this section may not be required to review and cosign charts or medical records prepared by such physician assistant.

(4) PERFORMANCE OF PHYSICIAN ASSISTANTS.—

(b) This chapter authorizes ~~does not prevent~~ third-party payors to reimburse ~~from reimbursing~~ employers of physician

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14 assistants for covered services rendered by licensed physician
15 assistants. Payment for services within the physician
16 assistant's scope of practice shall be made when ordered or
17 performed by a physician assistant if the same service would
18 have been covered if ordered or performed by a physician.
19 Physician assistants are authorized to bill for and receive
20 direct payment for the services they deliver.

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

28 1. A physician assistant must clearly identify to the
29 patient that he or she is a physician assistant ~~and inform the~~
30 ~~patient that the patient has the right to see the physician~~
31 ~~before a prescription is prescribed or dispensed by the~~
32 ~~physician assistant.~~

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

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38 registered as a dispensing practitioner in compliance with s.
39 465.0276.

40 3. A fully licensed ~~The physician assistant may procure~~
41 medicinal drugs and medical devices unless such drug is listed
42 on the formulary established pursuant to paragraph (f) must
43 ~~complete a minimum of 10 continuing medical education hours in~~
44 ~~the specialty practice in which the physician assistant has~~
45 ~~prescriptive privileges with each licensure renewal. Three of~~
46 ~~the 10 hours must consist of a continuing education course on~~
47 ~~the safe and effective prescribing of controlled substance~~
48 ~~medications which is offered by a statewide professional~~
49 ~~association of physicians in this state accredited to provide~~
50 ~~educational activities designated for the American Medical~~
51 ~~Association Physician's Recognition Award Category 1 credit or~~
52 ~~designated by the American Academy of Physician Assistants as a~~
53 ~~Category 1 credit.~~

54 4. ~~The department may issue a prescriber number to the~~
55 ~~physician assistant granting authority for the prescribing of~~
56 ~~medicinal drugs authorized within this paragraph upon completion~~
57 ~~of the requirements of this paragraph. The physician assistant~~
58 ~~is not required to independently register pursuant to s.~~
59 ~~465.0276.~~

60 ~~4.5.~~ The prescription may be in paper or electronic form
61 but must comply with ss. 456.0392(1) and 456.42(1) and chapter
62 499 and must contain, ~~in addition to~~ the supervising physician's

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63 name, address, and telephone number, ~~the physician assistant's~~
64 ~~prescriber number~~. Unless it is a drug or drug sample dispensed
65 by the physician assistant, the prescription must be filled in a
66 pharmacy permitted under chapter 465 and must be dispensed in
67 that pharmacy by a pharmacist licensed under chapter 465. ~~The~~
68 ~~inclusion of the prescriber number creates a presumption that~~
69 ~~the physician assistant is authorized to prescribe the medicinal~~
70 ~~drug and the prescription is valid.~~

71 ~~5.6.~~ The physician assistant must note the prescription or
72 dispensing of medication in the appropriate medical record.

73 (f)1. The council shall establish a formulary of medicinal
74 drugs that a fully licensed physician assistant having
75 prescribing authority under this section or s. 459.022 may not
76 prescribe. The formulary must include general anesthetics and
77 radiographic contrast materials and must limit the prescription
78 of Schedule II controlled substances as listed in s. 893.03 to a
79 7-day supply. The formulary must also restrict the prescribing
80 of Schedule II psychiatric mental health controlled substances
81 for children younger than 18 years of age to a 14-day supply,
82 provided the physician assistant is under the supervision of a
83 pediatrician, a family practice physician, an internal medicine
84 physician, or a psychiatrist.

85 2. In establishing the formulary, the council shall
86 consult with a pharmacist licensed under chapter 465, but not

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87 licensed under this chapter or chapter 459, who shall be
88 selected by the State Surgeon General.

89 3. Only the council shall add to, delete from, or modify
90 the formulary. Any person who requests an addition, a deletion,
91 or a modification of a medicinal drug listed on such formulary
92 has the burden of proof to show cause why such addition,
93 deletion, or modification should be made.

94 4. The boards shall adopt the formulary required by this
95 paragraph, and each addition, deletion, or modification to the
96 formulary, by rule. Notwithstanding any provision of chapter 120
97 to the contrary, the formulary rule shall be effective 60 days
98 after the date it is filed with the Secretary of State. Upon
99 adoption of the formulary, the department shall mail a copy of
100 such formulary to each fully licensed physician assistant having
101 prescribing authority under this section or s. 459.022, and to
102 each pharmacy licensed by the state. The boards shall establish,
103 by rule, a fee not to exceed \$200 to fund the provisions of this
104 paragraph and paragraph (e).

105 (i) A physician assistant may authenticate any document
106 with his or her signature, certification, stamp, verification,
107 affidavit, or endorsement if it may be so authenticated by the
108 signature, certification, stamp, verification, affidavit, or
109 endorsement of a physician, including, but not limited to, any
110 of the following:

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111 1. Initiation of an involuntary examination pursuant to s.
112 394.463.

113 2. Do-not-resuscitate orders or physician orders for the
114 administration of life-sustaining treatment.

115 3. Death certificates.

116 4. School physical examinations.

117 5. Medical evaluations for workers' compensation claims,
118 including the date of maximum medical improvement as defined in
119 s. 440.02.

120 6. Orders for physical therapy, occupational therapy,
121 speech-language therapy, home health services, or durable
122 medical equipment.

123 (j) A physician assistant may supervise a medical
124 assistant as defined in this chapter and chapter 459.

125 ~~(5) PERFORMANCE BY TRAINEES. Notwithstanding any other~~
126 ~~law, a trainee may perform medical services when such services~~
127 ~~are rendered within the scope of an approved program.~~

128 (5)(6) PROGRAM APPROVAL.—

129 (a) The boards shall approve programs, based on
130 recommendations by the council, for the education and training
131 of physician assistants which meet standards established by rule
132 of the boards. The council may recommend only those physician
133 assistant programs that hold full accreditation or provisional
134 accreditation from the Accreditation Review Commission on
135 Education for the Physician Assistant, Inc., Commission on

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136 ~~Accreditation of Allied Health Programs~~ or its successor
137 ~~organization, or, if before 2001, its predecessor organization.~~
138 ~~Any educational institution offering a physician assistant~~
139 ~~program approved by the boards pursuant to this paragraph may~~
140 ~~also offer the physician assistant program authorized in~~
141 ~~paragraph (c) for unlicensed physicians.~~

142 (b) Notwithstanding any other provision of law, a trainee
143 may perform medical services when such services are rendered
144 within the scope of an approved program ~~The boards shall adopt~~
145 ~~and publish standards to ensure that such programs operate in a~~
146 ~~manner that does not endanger the health or welfare of the~~
147 ~~patients who receive services within the scope of the programs.~~
148 ~~The boards shall review the quality of the curricula, faculties,~~
149 ~~and facilities of such programs and take whatever other action~~
150 ~~is necessary to determine that the purposes of this section are~~
151 ~~being met.~~

152 (c) ~~Any community college with the approval of the State~~
153 ~~Board of Education may conduct a physician assistant program~~
154 ~~which shall apply for national accreditation through the~~
155 ~~American Medical Association's Committee on Allied Health,~~
156 ~~Education, and Accreditation, or its successor organization, and~~
157 ~~which may admit unlicensed physicians, as authorized in~~
158 ~~subsection (7), who are graduates of foreign medical schools~~
159 ~~listed with the World Health Organization. The unlicensed~~
160 ~~physician must have been a resident of this state for a minimum~~

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161 ~~of 12 months immediately prior to admission to the program. An~~
162 ~~evaluation of knowledge base by examination shall be required to~~
163 ~~grant advanced academic credit and to fulfill the necessary~~
164 ~~requirements to graduate. A minimum of one 16-week semester of~~
165 ~~supervised clinical and didactic education, which may be~~
166 ~~completed simultaneously, shall be required before graduation~~
167 ~~from the program. All other provisions of this section shall~~
168 ~~remain in effect.~~

169 (6)-(7) PHYSICIAN ASSISTANT LICENSURE.-

170 (a) Any person desiring to be licensed as a physician
171 assistant must apply to the department. The department shall
172 issue a license to any person certified by the council as having
173 met the following requirements:

174 1. Is at least 18 years of age.

175 2. Has graduated from an approved program.

176 a. For an applicant who graduated after December 31, 2020,
177 has received a master's degree in accordance with the
178 Accreditation Review Commission on Education for the Physician
179 Assistant, Inc., or its successor organization.

180 b. For an applicant who graduated before December 31,
181 2020, has received a bachelor's or master's degree from an
182 approved program.

183 c. For an applicant who graduated before July 1, 1994, has
184 graduated from an approved program of instruction in primary
185 health care or surgery.

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186 d. For an applicant who graduated before July 1, 1983, has
187 received a certification from the boards as a physician
188 assistant.

189
190 The department may also issue a license to an applicant who does
191 not meet the educational requirements specified in this
192 subparagraph but who passed the Physician Assistant National
193 Certifying Examination administered by the National Commission
194 on Certification of Physician Assistants before 1986.

195 ~~3.2.~~ Has obtained ~~satisfactorily passed~~ a passing
196 ~~proficiency examination by an acceptable score as~~ established by
197 the National Commission on Certification of Physician Assistants
198 or its successor organization and has been nationally certified.

199 If an applicant does not hold a current certificate issued by
200 the National Commission on Certification of Physician Assistants
201 or its successor organization and has not actively practiced as
202 a physician assistant within the immediately preceding 4 years,
203 the applicant must retake and successfully complete the entry-
204 level examination of the National Commission on Certification of
205 Physician Assistants or its successor organization to be
206 eligible for licensure.

207 ~~4.3.~~ Has completed the application form and remitted an
208 application fee not to exceed \$300 as set by the boards. An
209 application for licensure made by a physician assistant must
210 include:

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211 a. A diploma from an approved ~~certificate of completion of~~
212 ~~a physician assistant training program~~ specified in subsection
213 (5) ~~(6)~~.

214 b. Acknowledgment of any prior felony convictions.

215 c. Acknowledgment of any previous revocation or denial of
216 licensure or certification in any state.

217 ~~d. A copy of course transcripts and a copy of the course~~
218 ~~description from a physician assistant training program~~
219 ~~describing course content in pharmacotherapy, if the applicant~~
220 ~~wishes to apply for prescribing authority. These documents must~~
221 ~~meet the evidence requirements for prescribing authority.~~

222 (c) Each licensed physician assistant shall biennially
223 complete 100 hours of continuing medical education or shall hold
224 a current certificate issued by the National Commission on
225 Certification of Physician Assistants or its successor
226 organization. Three hours of the continuing medical education
227 must consist of the safe and effective prescribing of controlled
228 substances designated by the Florida Academy of Physician
229 Assistants Category I credit.

230 ~~(d) Upon employment as a physician assistant, a licensed~~
231 ~~physician assistant must notify the department in writing within~~
232 ~~30 days after such employment or after any subsequent changes in~~
233 ~~the supervising physician. The notification must include the~~
234 ~~full name, Florida medical license number, specialty, and~~
235 ~~address of the supervising physician.~~

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236 Section 2. Subsections (8) through (17) of section
237 459.022, Florida Statutes, are renumbered as subsections (7)
238 through (16), respectively, paragraphs (f) and (g) of subsection
239 (4) are redesignated as paragraphs (g) and (h), respectively,
240 paragraphs (e), (f), and (g) of present subsection (7) are
241 redesignated as paragraphs (d), (e), and (f), respectively,
242 subsections (1), (2), and (3), paragraphs (b), (e), and (f) of
243 subsection (4), present subsections (5) and (6), and paragraphs
244 (a), (c), and (d) of present subsection (7) are amended, and a
245 new paragraph (f) and paragraphs (i) and (j) are added to
246 subsection (4) of that section, to read:

247 459.022 Physician assistants.—

248 (1) LEGISLATIVE INTENT.—

249 ~~(a)~~ The purpose of this section is to authorize physician
250 assistants, with their education, training, and experience in
251 the field of medicine, to practice medicine in collaboration
252 with physicians and other health care practitioners to provide
253 increased efficiency and to ensure high-quality medical services
254 are available at a reasonable cost ~~encourage more effective~~
255 ~~utilization of the skills of osteopathic physicians or groups of~~
256 ~~osteopathic physicians by enabling them to delegate health care~~
257 ~~tasks to qualified assistants when such delegation is consistent~~
258 ~~with the patient's health and welfare.~~

259 ~~(b)~~ ~~In order that maximum skills may be obtained within a~~
260 ~~minimum time period of education, a physician assistant shall be~~

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261 ~~specialized to the extent that she or he can operate efficiently~~
262 ~~and effectively in the specialty areas in which she or he has~~
263 ~~been trained or is experienced.~~

264 ~~(c) The purpose of this section is to encourage the~~
265 ~~utilization of physician assistants by osteopathic physicians~~
266 ~~and to allow for innovative development of programs for the~~
267 ~~education of physician assistants.~~

268 (2) DEFINITIONS.—As used in this section:

269 (a) "Approved program" means a physician assistant program
270 in the United States, or any possession or territory thereof,
271 accredited by the Accreditation Review Commission on Education
272 for the Physician Assistant, Inc., or its successor
273 organization, or, if before 2001, its predecessor organization
274 ~~formally approved by the boards, for the education of physician~~
275 ~~assistants.~~

276 (b) "Boards" means the Board of Medicine and the Board of
277 Osteopathic Medicine.

278 ~~(c)(h)~~ "Continuing medical education" means courses
279 recognized and approved by the boards, the American Academy of
280 Physician Assistants, the American Medical Association, the
281 American Osteopathic Association, or the Accreditation Council
282 on Continuing Medical Education.

283 ~~(d)(e)~~ "Council" means the Council on Physician
284 Assistants.

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285 (e) "Physician assistant" means a health care professional
286 who meets the qualifications under this chapter or chapter 458
287 and is licensed to practice medicine as provided in this chapter
288 or chapter 458 ~~person who is a graduate of an approved program~~
289 ~~or its equivalent or meets standards approved by the boards and~~
290 ~~is licensed to perform medical services delegated by the~~
291 ~~supervising physician.~~

292 (f)(g) "Physician assistant national certifying
293 examination" means the Physician Assistant National Certifying
294 Examination ~~"Proficiency examination" means an entry-level~~
295 ~~examination approved by the boards, including, but not limited~~
296 ~~to, those examinations administered by the National Commission~~
297 ~~on Certification of Physician Assistants~~ or its successor
298 agency.

299 (g)(f) "Supervision" means responsible supervision and
300 control. Except in cases of emergency, supervision requires the
301 easy availability or physical presence of the licensed physician
302 for consultation and direction of the actions of the physician
303 assistant. For the purposes of this definition, the term "easy
304 availability" includes the ability to communicate by way of
305 telecommunication. The boards shall establish rules as to what
306 constitutes responsible supervision of the physician assistant.

307 (h)(d) "Trainee" means a person who is currently enrolled
308 in an approved program.

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309 (3) PERFORMANCE OF SUPERVISING PHYSICIAN.—Each physician
310 or group of physicians supervising a licensed physician
311 assistant must be qualified in the medical areas in which the
312 physician assistant is to perform and shall be individually or
313 collectively responsible and liable for the performance and the
314 acts and omissions of the physician assistant. A physician may
315 not supervise more than 10 ~~four~~ currently licensed physician
316 assistants at any one time. A physician supervising a physician
317 assistant pursuant to this section may not be required to review
318 and cosign charts or medical records prepared by such physician
319 assistant.

320 (4) PERFORMANCE OF PHYSICIAN ASSISTANTS.—

321 (b) This chapter authorizes ~~does not prevent~~ third-party
322 payors to reimburse ~~from reimbursing~~ employers of physician
323 assistants for covered services rendered by licensed physician
324 assistants. Payment for services within the physician
325 assistant's scope of practice shall be made when ordered or
326 performed by a physician assistant if the same service would
327 have been covered if ordered or performed by a physician.
328 Physician assistants are authorized to bill for and receive
329 direct payment for the services they deliver.

330 (e) A supervising physician may delegate to a fully
331 licensed physician assistant the authority to prescribe or
332 dispense any medication used in the supervising physician's
333 practice unless such medication is listed on the formulary

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334 created pursuant to s. 458.347. A fully licensed physician
335 assistant may only prescribe or dispense such medication under
336 the following circumstances:

337 1. A physician assistant must clearly identify to the
338 patient that she or he is a physician assistant ~~and must inform~~
339 ~~the patient that the patient has the right to see the physician~~
340 ~~before a prescription is prescribed or dispensed by the~~
341 ~~physician assistant.~~

342 2. The supervising physician must notify the department of
343 her or his intent to delegate, on a department-approved form,
344 before delegating such authority and of any change in
345 prescriptive privileges of the physician assistant. Authority to
346 dispense may be delegated only by a supervising physician who is
347 registered as a dispensing practitioner in compliance with s.
348 465.0276.

349 3. A fully licensed ~~The~~ physician assistant may procure
350 medicinal drugs and medical devices unless such drug is listed
351 on the formulary established pursuant to paragraph (f) ~~must~~
352 ~~complete a minimum of 10 continuing medical education hours in~~
353 ~~the specialty practice in which the physician assistant has~~
354 ~~prescriptive privileges with each licensure renewal.~~

355 4. ~~The department may issue a prescriber number to the~~
356 ~~physician assistant granting authority for the prescribing of~~
357 ~~medicinal drugs authorized within this paragraph upon completion~~
358 ~~of the requirements of this paragraph. The physician assistant~~

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359 ~~is not required to independently register pursuant to s.~~
360 ~~465.0276.~~

361 ~~4.5.~~ The prescription may be in paper or electronic form
362 but must comply with ss. 456.0392(1) and 456.42(1) and chapter
363 499 and must contain, ~~in addition to~~ the supervising physician's
364 name, address, and telephone number, ~~the physician assistant's~~
365 ~~prescriber number~~. Unless it is a drug or drug sample dispensed
366 by the physician assistant, the prescription must be filled in a
367 pharmacy permitted under chapter 465, and must be dispensed in
368 that pharmacy by a pharmacist licensed under chapter 465. ~~The~~
369 ~~inclusion of the prescriber number creates a presumption that~~
370 ~~the physician assistant is authorized to prescribe the medicinal~~
371 ~~drug and the prescription is valid.~~

372 ~~5.6.~~ The physician assistant must note the prescription or
373 dispensing of medication in the appropriate medical record.

374 (f)1. The council shall establish a formulary of medicinal
375 drugs that a fully licensed physician assistant having
376 prescribing authority under this section or s. 458.347 may not
377 prescribe. The formulary must include general anesthetics and
378 radiographic contrast materials and must limit the prescription
379 of Schedule II controlled substances as listed in s. 893.03 to a
380 7-day supply. The formulary must also restrict the prescribing
381 of Schedule II psychiatric mental health controlled substances
382 for children younger than 18 years of age to a 14-day supply,
383 provided the physician assistant is under the supervision of a

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384 pediatrician, a family practice physician, an internal medicine
385 physician, or a psychiatrist.

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

389

Remove lines 17-25 and insert:

390

assistant licensure requirements; revising the number of

391

physician assistants a physician may supervise at one time;

392

restricting the prescribing of specified controlled substances

393

for children younger than 18 to a 14-day supply under certain

394

circumstances; removing provisions requiring physician

395

assistants to inform patients of certain rights before

396

prescribing or dispensing prescriptions, authorizing the

397

issuance of physician assistant prescriber numbers, requiring

398

the adoption of certain

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