

1 A bill to be entitled
2 An act relating to the performance of physician
3 assistants and advanced practice registered nurses;
4 amending ss. 458.347 and 459.022, F.S.; deleting the
5 requirement that a supervising physician notify the
6 Department of Health in writing of any delegation of
7 prescribing authority to a physician assistant;
8 deleting the requirement that a supervising
9 physician's name be included in the prescription
10 issued by a physician assistant; revising requirements
11 for the drug formulary for physician assistants;
12 authorizing certain physician assistants to render
13 medical services without physician supervision during
14 a declared state of emergency in counties covered by
15 the declaration; providing applicability; requiring
16 that such services rendered otherwise comply with laws
17 and rules applicable to physician assistants; amending
18 s. 464.012, F.S.; revising the drug formulary
19 requirements for advanced practice registered nurses
20 authorized to prescribe medications; authorizing
21 certain advanced practice registered nurses to render
22 medical services without physician supervision during
23 a declared state of emergency in counties covered by
24 the declaration; providing applicability; requiring
25 that such services rendered otherwise comply with laws

26 and rules applicable to advanced practice registered
27 nurses; providing an effective date.
28

29 Be It Enacted by the Legislature of the State of Florida:
30

31 **Section 1. Paragraphs (e) and (f) of subsection (4) of**
32 **section 458.347, Florida Statutes, are amended, and paragraph**
33 **(1) is added to that subsection, to read:**

34 458.347 Physician assistants.—

35 (4) PERFORMANCE OF PHYSICIAN ASSISTANTS.—

36 (e) A supervising physician may delegate to a fully
37 licensed physician assistant the authority to prescribe or
38 dispense any medication used in the supervising physician's
39 practice unless such medication is listed on the formulary
40 created pursuant to paragraph (f). A fully licensed physician
41 assistant may ~~only~~ prescribe or dispense such medication only
42 under the following conditions ~~circumstances~~:

43 1. A physician assistant must clearly identify to the
44 patient that he or she is a physician assistant.

45 2. ~~The supervising physician must notify the department of~~
46 ~~his or her intent to delegate, on a department-approved form,~~
47 ~~before delegating such authority and of any change in~~
48 ~~prescriptive privileges of the physician assistant.~~ Authority to
49 dispense may be delegated only by a supervising physician who is
50 registered as a dispensing practitioner in compliance with s.

51 465.0276.

52 3. A fully licensed physician assistant may procure
53 medical devices and drugs unless the medication is listed on the
54 formulary created pursuant to paragraph (f).

55 4. The physician assistant must complete a minimum of 10
56 continuing medical education hours in the specialty practice in
57 which the physician assistant has prescriptive privileges with
58 each licensure renewal. Three of the 10 hours must consist of a
59 continuing education course on the safe and effective
60 prescribing of controlled substance medications which is offered
61 by a statewide professional association of physicians in this
62 state accredited to provide educational activities designated
63 for the American Medical Association Physician's Recognition
64 Award Category 1 credit, designated by the American Academy of
65 Physician Assistants as a Category 1 credit, or designated by
66 the American Osteopathic Association as a Category 1-A credit.

67 5. The prescription may be in paper or electronic form but
68 must comply with ss. 456.0392(1) and 456.42(1) and chapter 499
69 and must contain the physician assistant's name, address, and
70 telephone number ~~and the name of each of his or her supervising~~
71 ~~physicians~~. Unless it is a drug or drug sample dispensed by the
72 physician assistant, the prescription must be filled in a
73 pharmacy permitted under chapter 465 and must be dispensed in
74 that pharmacy by a pharmacist licensed under chapter 465.

75 6. The physician assistant must note the prescription or

76 dispensing of medication in the appropriate medical record.

77 (f)1. The council shall establish a formulary of medicinal
78 drugs that a fully licensed physician assistant having
79 prescribing authority under this section or s. 459.022 may not
80 prescribe. The formulary must include general anesthetics and
81 radiographic contrast materials and must limit the prescription
82 of Schedule II controlled substances as listed in s. 893.03 to a
83 7-day supply or, in the case of Schedule II psychiatric mental
84 health controlled substances, a 30-day supply if- the
85 prescription is ~~formulary must also restrict the prescribing of~~
86 ~~Schedule II psychiatric mental health controlled substances for~~
87 a child ~~children~~ younger than 18 years of age ~~to a 14-day~~
88 ~~supply, provided the physician assistant is under the~~
89 ~~supervision of a pediatrician, a family practice physician, an~~
90 ~~internal medicine physician, or a psychiatrist.~~

91 2. In establishing the formulary, the council shall
92 consult with a pharmacist licensed under chapter 465, but not
93 licensed under this chapter or chapter 459, who shall be
94 selected by the State Surgeon General.

95 3. Only the council shall add to, delete from, or modify
96 the formulary. Any person who requests an addition, a deletion,
97 or a modification of a medicinal drug listed on such formulary
98 has the burden of proof to show cause why such addition,
99 deletion, or modification should be made.

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

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

111 (1) If the Governor issues an executive order or a
112 proclamation declaring a state of emergency pursuant to s.
113 252.36, fully licensed physician assistants holding an active,
114 unrestricted license to practice in this state may render
115 medical services without physician supervision in any county
116 covered by the executive order or proclamation for the duration
117 of the declared state of emergency. However, out-of-state
118 physician assistants registered to provide telehealth services
119 in this state and physician assistants holding a temporary
120 certificate to practice in an area of critical need are not
121 authorized to practice without physician supervision under this
122 paragraph. All services rendered under this paragraph must
123 otherwise comply with the requirements of this section and the
124 rules adopted pursuant hereto.

125 **Section 2. Paragraph (e) of subsection (4) of section**

126 **459.022, Florida Statutes, is amended, and paragraph (k) is**
127 **added to that subsection, to read:**

128 459.022 Physician assistants.—

129 (4) PERFORMANCE OF PHYSICIAN ASSISTANTS.—

130 (e) A supervising physician may delegate to a fully
131 licensed physician assistant the authority to prescribe or
132 dispense any medication used in the supervising physician's
133 practice unless such medication is listed on the formulary
134 created pursuant to s. 458.347. A fully licensed physician
135 assistant may ~~only~~ prescribe or dispense such medication only
136 under the following conditions ~~circumstances~~:

137 1. A physician assistant must clearly identify to the
138 patient that she or he is a physician assistant.

139 2. ~~The supervising physician must notify the department of~~
140 ~~her or his intent to delegate, on a department-approved form,~~
141 ~~before delegating such authority and of any change in~~
142 ~~prescriptive privileges of the physician assistant.~~ Authority to
143 dispense may be delegated only by a supervising physician who is
144 registered as a dispensing practitioner in compliance with s.
145 465.0276.

146 3. A fully licensed physician assistant may procure
147 medical devices and drugs unless the medication is listed on the
148 formulary created pursuant to s. 458.347(4)(f).

149 4. The physician assistant must complete a minimum of 10
150 continuing medical education hours in the specialty practice in

151 which the physician assistant has prescriptive privileges with
152 each licensure renewal. Three of the 10 hours must consist of a
153 continuing education course on the safe and effective
154 prescribing of controlled substance medications which is offered
155 by a provider that has been approved by the American Academy of
156 Physician Assistants and which is designated for the American
157 Medical Association Physician's Recognition Award Category 1
158 credit, designated by the American Academy of Physician
159 Assistants as a Category 1 credit, or designated by the American
160 Osteopathic Association as a Category 1-A credit.

161 5. The prescription may be in paper or electronic form but
162 must comply with ss. 456.0392(1) and 456.42(1) and chapter 499
163 and must contain the physician assistant's name, address, and
164 telephone number ~~and the name of each of his or her supervising~~
165 ~~physicians~~. Unless it is a drug or drug sample dispensed by the
166 physician assistant, the prescription must be filled in a
167 pharmacy permitted under chapter 465~~7~~, and must be dispensed in
168 that pharmacy by a pharmacist licensed under chapter 465.

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

171 (k) If the Governor issues an executive order or a
172 proclamation declaring a state of emergency pursuant to s.
173 252.36, a fully licensed physician assistant holding an active,
174 unrestricted license to practice in this state may render
175 medical services without physician supervision in any county

covered by the executive order or proclamation for the duration of the declared state of emergency. However, out-of-state physician assistants registered to provide telehealth services in this state and physician assistants holding a temporary certificate to practice in an area of critical need are not authorized to practice without physician supervision under this paragraph. All services rendered under this paragraph must otherwise comply with the requirements of this section and the rules adopted pursuant hereto.

Section 3. Present subsection (7) of section 464.012, Florida Statutes, is renumbered as subsection (8), paragraph (a) of subsection (6) is amended, and a new subsection (7) is added to that section, to read:

464.012 Licensure of advanced practice registered nurses; fees; controlled substance prescribing.—

(6) (a) The board shall establish a committee to recommend a formulary of controlled substances that an advanced practice registered nurse may not prescribe or may prescribe only for specific uses or in limited quantities. The committee must be composed ~~consist~~ of three advanced practice registered nurses licensed under this section, recommended by the board; three physicians licensed under chapter 458 or chapter 459 who have work experience with advanced practice registered nurses, recommended by the Board of Medicine; and a pharmacist licensed under chapter 465 who is a doctor of pharmacy, recommended by

the Board of Pharmacy. The committee may recommend an evidence-based formulary applicable to all advanced practice registered nurses which is limited by specialty certification, is limited to approved uses of controlled substances, or is subject to other similar restrictions the committee finds are necessary to protect the health, safety, and welfare of the public. The formulary must restrict the prescribing of psychiatric mental health controlled substances for children younger than 18 years of age to a 30-day supply ~~advanced practice registered nurses who also are psychiatric nurses as defined in s. 394.455.~~ The formulary must also limit the prescribing of Schedule II controlled substances as listed in s. 893.03 to a 7-day supply, except that such restriction does not apply to controlled substances that are psychiatric medications prescribed by psychiatric nurses as defined in s. 394.455.

(7) If the Governor issues an executive order or a proclamation declaring a state of emergency pursuant to s. 252.36, fully licensed advanced practice registered nurses holding an active, unrestricted license to practice in this state may render medical services without physician supervision in any county covered by the executive order or proclamation for the duration of the declared state of emergency. However, out-of-state advanced practice registered nurses registered to provide telehealth services in this state and advanced practice registered nurses holding a temporary certificate to practice in

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226 | an area of critical need are not authorized to practice without
227 | physician supervision under this paragraph. All services
228 | rendered under this paragraph must otherwise comply with the
229 | requirements of this part and the rules adopted pursuant hereto.

230 | **Section 4.** This act shall take effect July 1, 2026.