

A bill to be entitled
An act relating to the performance of physician assistants and advanced practice registered nurses; amending ss. 458.347 and 459.022, F.S.; deleting the requirement that a supervising physician notify the Department of Health in writing of any delegation of prescribing authority to a physician assistant; deleting the requirement that a supervising physician's name be included in the prescription issued by a physician assistant; revising requirements for the drug formulary for physician assistants; amending s. 464.012, F.S.; revising the drug formulary requirements for advanced practice registered nurses authorized to prescribe medications; providing an exception for psychiatric nurses; providing an effective date.

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

Section 1. Paragraphs (e) and (f) of subsection (4) of section 458.347, Florida Statutes, are amended to read:

458.347 Physician assistants.—

(4) PERFORMANCE OF PHYSICIAN ASSISTANTS.—

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

26 dispense any medication used in the supervising 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 only
30 under the following conditions circumstances:

31 1. A physician assistant must clearly identify to the
32 patient that he or she is a 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
38 registered as a dispensing practitioner in compliance with s.
39 465.0276.

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

43 4. The physician assistant must complete a minimum of 10
44 continuing medical education hours in the specialty practice in
45 which the physician assistant has prescriptive privileges with
46 each licensure renewal. Three of the 10 hours must consist of a
47 continuing education course on the safe and effective
48 prescribing of controlled substance medications which is offered
49 by a statewide professional association of physicians in this
50 state accredited to provide educational activities designated

51 for the American Medical Association Physician's Recognition
52 Award Category 1 credit, designated by the American Academy of
53 Physician Assistants as a Category 1 credit, or designated by
54 the American Osteopathic Association as a Category 1-A credit.

55 5. The prescription may be in paper or electronic form but
56 must comply with ss. 456.0392(1) and 456.42(1) and chapter 499
57 and must contain the physician assistant's name, address, and
58 telephone number ~~and the name of each of his or her supervising~~
59 ~~physicians~~. Unless it is a drug or drug sample dispensed by the
60 physician assistant, the prescription must be filled in a
61 pharmacy permitted under chapter 465 and must be dispensed in
62 that pharmacy by a pharmacist licensed under chapter 465.

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

65 (f)1. The council shall establish a formulary of medicinal
66 drugs that a fully licensed physician assistant having
67 prescribing authority under this section or s. 459.022 may not
68 prescribe. The formulary must include general anesthetics and
69 radiographic contrast materials and must limit the prescription
70 of Schedule II controlled substances as listed in s. 893.03 to a
71 7-day supply or, in the case of Schedule II psychiatric mental
72 health controlled substances, a 30-day supply if- the
73 prescription is ~~formulary must also restrict the prescribing of~~
74 ~~Schedule II psychiatric mental health controlled substances for~~
75 ~~a child~~ children younger than 18 years of age ~~to a 14-day~~

76 supply, provided the physician assistant is under the
77 supervision of a pediatrician, a family practice physician, an
78 internal medicine physician, or a psychiatrist.

79 2. In establishing the formulary, the council shall
80 consult with a pharmacist licensed under chapter 465, but not
81 licensed under this chapter or chapter 459, who shall be
82 selected by the State Surgeon General.

83 3. Only the council shall add to, delete from, or modify
84 the formulary. Any person who requests an addition, a deletion,
85 or a modification of a medicinal drug listed on such formulary
86 has the burden of proof to show cause why such addition,
87 deletion, or modification should be made.

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

99 **Section 2. Paragraph (e) of subsection (4) of section
100 459.022, Florida Statutes, is amended to read:**

101 459.022 Physician assistants.—
102 (4) PERFORMANCE OF PHYSICIAN ASSISTANTS.—
103 (e) A supervising physician may delegate to a fully
104 licensed physician assistant the authority to prescribe or
105 dispense any medication used in the supervising physician's
106 practice unless such medication is listed on the formulary
107 created pursuant to s. 458.347. A fully licensed physician
108 assistant may ~~only~~ prescribe or dispense such medication only
109 under the following conditions ~~circumstances~~:

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

112 2. ~~The supervising physician must notify the department of
113 her or his intent to delegate, on a department-approved form,
114 before delegating such authority and of any change in
115 prescriptive privileges of the physician assistant.~~ Authority to
116 dispense may be delegated only by a supervising physician who is
117 registered as a dispensing practitioner in compliance with s.
118 465.0276.

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

122 4. The physician assistant must complete a minimum of 10
123 continuing medical education hours in the specialty practice in
124 which the physician assistant has prescriptive privileges with
125 each licensure renewal. Three of the 10 hours must consist of a

126 continuing education course on the safe and effective
127 prescribing of controlled substance medications which is offered
128 by a provider that has been approved by the American Academy of
129 Physician Assistants and which is designated for the American
130 Medical Association Physician's Recognition Award Category 1
131 credit, designated by the American Academy of Physician
132 Assistants as a Category 1 credit, or designated by the American
133 Osteopathic Association as a Category 1-A credit.

134 5. The prescription may be in paper or electronic form but
135 must comply with ss. 456.0392(1) and 456.42(1) and chapter 499
136 and must contain the physician assistant's name, address, and
137 telephone number ~~and the name of each of his or her supervising~~
138 ~~physicians~~. Unless it is a drug or drug sample dispensed by the
139 physician assistant, the prescription must be filled in a
140 pharmacy permitted under chapter 465, and must be dispensed in
141 that pharmacy by a pharmacist licensed under chapter 465.

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

144 **Section 3. Paragraph (a) of subsection (6) of section**
145 **464.012, Florida Statutes, is amended to read:**

146 464.012 Licensure of advanced practice registered nurses;
147 fees; controlled substance prescribing.—

148 (6) (a) The board shall establish a committee to recommend
149 a formulary of controlled substances that an advanced practice
150 registered nurse may not prescribe or may prescribe only for

151 specific uses or in limited quantities. The committee must be
152 composed ~~consist~~ of three advanced practice registered nurses
153 licensed under this section, recommended by the board; three
154 physicians licensed under chapter 458 or chapter 459 who have
155 work experience with advanced practice registered nurses,
156 recommended by the Board of Medicine; and a pharmacist licensed
157 under chapter 465 who is a doctor of pharmacy, recommended by
158 the Board of Pharmacy. The committee may recommend an evidence-
159 based formulary applicable to all advanced practice registered
160 nurses which is limited by specialty certification, is limited
161 to approved uses of controlled substances, or is subject to
162 other similar restrictions the committee finds are necessary to
163 protect the health, safety, and welfare of the public. The
164 formulary must restrict the prescribing of psychiatric mental
165 health controlled substances for children younger than 18 years
166 of age to a 30-day supply, except that such restriction does not
167 apply to controlled substances that are prescribed by advanced
168 ~~practice registered nurses who also are~~ psychiatric nurses as
169 defined in s. 394.455. The formulary must also limit the
170 prescribing of Schedule II controlled substances as listed in s.
171 893.03 to a 7-day supply, except that such restriction does not
172 apply to controlled substances that are psychiatric medications
173 prescribed by psychiatric nurses as defined in s. 394.455.

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