

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 amending s. 464.012, F.S.; revising the drug formulary
13 requirements for advanced practice registered nurses
14 authorized to prescribe medications; providing an
15 exception for psychiatric nurses; providing an
16 effective date.

17
18 Be It Enacted by the Legislature of the State of Florida:

19
20 **Section 1. Paragraphs (e) and (f) of subsection (4) of**
21 **section 458.347, Florida Statutes, are amended to read:**

22 458.347 Physician assistants.—

23 (4) PERFORMANCE OF PHYSICIAN ASSISTANTS.—

24 (e) A supervising physician may delegate to a fully
25 licensed 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

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

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

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

Section 3. Paragraph (a) of subsection (6) of section 464.012, Florida Statutes, is amended 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, except that such restriction does not
apply to controlled substances that are prescribed by 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.

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