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LEGISLATIVE ACTION

Senate	.	House
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Floor: WD/2R	.	
04/28/2014 07:10 PM	.	
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Senator Hays moved the following:

Senate Amendment (with title amendment)

Between lines 167 and 168
insert:

Section 2. Subsection (3), paragraph (e) of subsection (4),
and paragraphs (a), (c), and (e) of subsection (7) of section
458.347, Florida Statutes, are amended to read:

458.347 Physician assistants.—

(3) PERFORMANCE OF SUPERVISING PHYSICIAN.—Each physician or
group of physicians supervising a licensed physician assistant
must be qualified in the medical areas in which the physician



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12 assistant is to perform and shall be individually or
13 collectively responsible and liable for the performance and the
14 acts and omissions of the physician assistant. A physician may
15 not supervise more than five ~~four~~ currently licensed physician
16 assistants at any one time. A physician supervising a physician
17 assistant pursuant to this section may not be required to review
18 and cosign charts or medical records prepared by such physician
19 assistant. Notwithstanding this subsection, a physician may
20 supervise only up to four physician assistants in medical
21 offices other than the physician's primary practice location
22 pursuant to s. 458.348(4)(c).

23 (4) PERFORMANCE OF PHYSICIAN ASSISTANTS.—

24 (e) A supervisory physician may delegate to a fully
25 licensed physician assistant the authority to prescribe or
26 dispense any medication used in the supervisory 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 under
30 the following circumstances:

31 1. A physician assistant must clearly identify to the
32 patient that he or she is a physician assistant. Furthermore,
33 the physician assistant must inform the patient that the patient
34 has the right to see the physician prior to any prescription
35 being prescribed or dispensed by the physician assistant.

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



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41 supervising physician who is registered as a dispensing
42 practitioner in compliance with s. 465.0276.

43 3. The physician assistant must certify to ~~file with~~ the
44 department ~~a signed affidavit~~ that he or she has completed a
45 minimum of 10 continuing medical education hours in the
46 specialty practice in which the physician assistant has
47 prescriptive privileges with each licensure renewal application.

48 4. The department may issue a prescriber number to the
49 physician assistant granting authority for the prescribing of
50 medicinal drugs authorized within this paragraph upon completion
51 of the foregoing requirements. The physician assistant shall not
52 be required to independently register pursuant to s. 465.0276.

53 5. The prescription may ~~must~~ be written or electronic, but
54 must be in a form that complies with ss. 456.0392(1) and
55 456.42(1) ~~chapter 499~~ and must contain, in addition to the
56 supervisory physician's name, address, and telephone number, the
57 physician assistant's prescriber number. Unless it is a drug or
58 drug sample dispensed by the physician assistant, the
59 prescription must be filled in a pharmacy permitted under
60 chapter 465 and must be dispensed in that pharmacy by a
61 pharmacist licensed under chapter 465. The appearance of the
62 prescriber number creates a presumption that the physician
63 assistant is authorized to prescribe the medicinal drug and the
64 prescription is valid.

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

67 (7) PHYSICIAN ASSISTANT LICENSURE.—

68 (a) Any person desiring to be licensed as a physician
69 assistant must apply to the department. The department shall



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70 issue a license to any person certified by the council as having
71 met the following requirements:

72 1. Is at least 18 years of age.

73 2. Has satisfactorily passed a proficiency examination by
74 an acceptable score established by the National Commission on
75 Certification of Physician Assistants. If an applicant does not
76 hold a current certificate issued by the National Commission on
77 Certification of Physician Assistants and has not actively
78 practiced as a physician assistant within the immediately
79 preceding 4 years, the applicant must retake and successfully
80 complete the entry-level examination of the National Commission
81 on Certification of Physician Assistants to be eligible for
82 licensure.

83 3. Has completed the application form and remitted an
84 application fee not to exceed \$300 as set by the boards. An
85 application for licensure made by a physician assistant must
86 include:

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

89 b. A ~~sworn~~ statement of any prior felony convictions.

90 c. A ~~sworn~~ statement of any previous revocation or denial
91 of licensure or certification in any state.

92 ~~d. Two letters of recommendation.~~

93 ~~d.e.~~ A copy of course transcripts and a copy of the course
94 description from a physician assistant training program
95 describing course content in pharmacotherapy, if the applicant
96 wishes to apply for prescribing authority. These documents must
97 meet the evidence requirements for prescribing authority.

98 e. For physician assistants seeking initial licensure on or



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99 after January 1, 2015, fingerprints pursuant to s. 456.0135.

100 (c) The license must be renewed biennially. Each renewal
101 must include:

102 1. A renewal fee not to exceed \$500 as set by the boards.

103 2. A ~~sworn~~ statement of no felony convictions in the
104 previous 2 years.

105 (e) Upon employment as a physician assistant, a licensed
106 physician assistant must notify the department in writing within
107 30 days after such employment and provide ~~or after any~~
108 ~~subsequent changes in the supervising physician. The~~
109 ~~notification must include~~ the full name, Florida medical license
110 number, specialty, and address of a designated ~~the~~ supervising
111 physician. Any subsequent change in the designated supervising
112 physician shall be reported to the department within 30 days
113 after the change. Assignment of a designated supervising
114 physician does not preclude a physician assistant from
115 practicing under multiple supervising physicians.

116 Section 3. Subsection (3), paragraph (e) of subsection (4),
117 and paragraphs (a), (b), and (d) of subsection (7) of section
118 459.022, Florida Statutes, are amended to read:

119 459.022 Physician assistants.—

120 (3) PERFORMANCE OF SUPERVISING PHYSICIAN.—Each physician or
121 group of physicians supervising a licensed physician assistant
122 must be qualified in the medical areas in which the physician
123 assistant is to perform and shall be individually or
124 collectively responsible and liable for the performance and the
125 acts and omissions of the physician assistant. A physician may
126 not supervise more than five ~~four~~ currently licensed physician
127 assistants at any one time. A physician supervising a physician



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128 assistant pursuant to this section may not be required to review
129 and cosign charts or medical records prepared by such physician
130 assistant. Notwithstanding this subsection, a physician may only
131 supervise up to four physician assistants in medical offices
132 other than the physician's primary practice location pursuant to
133 s. 459.025(3)(c).

134 (4) PERFORMANCE OF PHYSICIAN ASSISTANTS.—

135 (e) A supervisory physician may delegate to a fully
136 licensed physician assistant the authority to prescribe or
137 dispense any medication used in the supervisory physician's
138 practice unless such medication is listed on the formulary
139 created pursuant to s. 458.347. A fully licensed physician
140 assistant may only prescribe or dispense such medication under
141 the following circumstances:

142 1. A physician assistant must clearly identify to the
143 patient that she or he is a physician assistant. Furthermore,
144 the physician assistant must inform the patient that the patient
145 has the right to see the physician prior to any prescription
146 being prescribed or dispensed by the physician assistant.

147 2. The supervisory physician must notify the department of
148 her or his intent to delegate, on a department-approved form,
149 before delegating such authority and notify the department of
150 any change in prescriptive privileges of the physician
151 assistant. Authority to dispense may be delegated only by a
152 supervisory physician who is registered as a dispensing
153 practitioner in compliance with s. 465.0276.

154 3. The physician assistant must certify to ~~file with~~ the
155 department ~~a signed affidavit~~ that she or he has completed a
156 minimum of 10 continuing medical education hours in the



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157 specialty practice in which the physician assistant has
158 prescriptive privileges with each licensure renewal application.

159 4. The department may issue a prescriber number to the
160 physician assistant granting authority for the prescribing of
161 medicinal drugs authorized within this paragraph upon completion
162 of the foregoing requirements. The physician assistant shall not
163 be required to independently register pursuant to s. 465.0276.

164 5. The prescription may ~~must~~ be written or electronic, but
165 must be in a form that complies with ss. 456.0392(1) and
166 456.42(1) chapter 499 and must contain, in addition to the
167 supervisory physician's name, address, and telephone number, the
168 physician assistant's prescriber number. Unless it is a drug or
169 drug sample dispensed by the physician assistant, the
170 prescription must be filled in a pharmacy permitted under
171 chapter 465, and must be dispensed in that pharmacy by a
172 pharmacist licensed under chapter 465. The appearance of the
173 prescriber number creates a presumption that the physician
174 assistant is authorized to prescribe the medicinal drug and the
175 prescription is valid.

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

178 (7) PHYSICIAN ASSISTANT LICENSURE.—

179 (a) Any person desiring to be licensed as a physician
180 assistant must apply to the department. The department shall
181 issue a license to any person certified by the council as having
182 met the following requirements:

183 1. Is at least 18 years of age.

184 2. Has satisfactorily passed a proficiency examination by
185 an acceptable score established by the National Commission on



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186 Certification of Physician Assistants. If an applicant does not
187 hold a current certificate issued by the National Commission on
188 Certification of Physician Assistants and has not actively
189 practiced as a physician assistant within the immediately
190 preceding 4 years, the applicant must retake and successfully
191 complete the entry-level examination of the National Commission
192 on Certification of Physician Assistants to be eligible for
193 licensure.

194 3. Has completed the application form and remitted an
195 application fee not to exceed \$300 as set by the boards. An
196 application for licensure made by a physician assistant must
197 include:

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

200 b. A ~~sworn~~ statement of any prior felony convictions.

201 c. A ~~sworn~~ statement of any previous revocation or denial
202 of licensure or certification in any state.

203 ~~d. Two letters of recommendation.~~

204 ~~d.e.~~ A copy of course transcripts and a copy of the course
205 description from a physician assistant training program
206 describing course content in pharmacotherapy, if the applicant
207 wishes to apply for prescribing authority. These documents must
208 meet the evidence requirements for prescribing authority.

209 e. For physician assistants seeking initial licensure on or
210 after January 1, 2015, fingerprints pursuant to s. 456.0135.

211 (b) The licensure must be renewed biennially. Each renewal
212 must include:

213 1. A renewal fee not to exceed \$500 as set by the boards.

214 2. A ~~sworn~~ statement of no felony convictions in the



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215 previous 2 years.

216 (d) Upon employment as a physician assistant, a licensed
217 physician assistant must notify the department in writing within
218 30 days after such employment and provide ~~or after any~~
219 ~~subsequent changes in the supervising physician. The~~
220 ~~notification must include~~ the full name, Florida medical license
221 number, specialty, and address of a designated ~~the~~ supervising
222 physician. Any subsequent change in the designated supervising
223 physician shall be reported to the department within 30 days
224 after the change. Assignment of a designated supervising
225 physician does not preclude a physician assistant from
226 practicing under multiple supervising physicians.

227

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

229 And the title is amended as follows:

230 Between lines 14 and 15

231 insert:

232 amending ss. 458.347 and 459.022, F.S.; increasing the
233 number of licensed physician assistants that a
234 physician may supervise at any one time; providing an
235 exception; revising circumstances under which a
236 physician assistant is authorized to prescribe or
237 dispense medication; revising requirements for
238 medications prescribed or dispensed by physician
239 assistants; revising application requirements for
240 licensure as a physician assistant and license
241 renewal;