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Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Patient Prescription Access - Limited Physician Delegation to Physician**
3 **Assistants**

4 FOR the purpose of repealing certain provisions that relate to patient services
5 provided by a physician assistant and that require a physician assistant to
6 obtain an approved job description from the Board of Physician Quality
7 Assurance in order to perform certain delegated medical acts; substituting
8 provisions that authorize a physician to delegate certain medical acts to a
9 physician assistant under a delegation agreement that has been approved by the
10 Board of Physician Quality Assurance; specifying the contents of a delegation
11 agreement and procedures for review, approval, disapproval, and modification of
12 a delegation agreement; prohibiting a supervising physician from delegating the
13 prescribing and administering of controlled dangerous substances, prescription
14 drugs, or medical devices unless certain information is included in the
15 delegation agreement and certain other requirements are met; prohibiting a
16 physician from delegating to a physician assistant the prescribing of certain
17 controlled dangerous substances; providing that a physician assistant is the
18 agent of the supervising physician in the performance of certain
19 practice-related activities; requiring the Board of Physician Quality Assurance
20 to provide a certain list to the Board of Pharmacy; requiring a supervising
21 physician to provide certain notice to the Board of Physician Quality Assurance
22 when the supervising physician restricts or removes a delegation to prescribe
23 controlled dangerous substances, prescription drugs, or medical devices;
24 requiring the Board of Physician Quality Assurance to include certain
25 information in its annual report; defining certain terms; and generally relating
26 to health occupations, physician assistants, and the authority of physicians to
27 delegate prescriptive authority to physician assistants.

28 BY repealing and reenacting, with amendments,
29 Article - Health Occupations
30 Section 15-101 and 15-301
31 Annotated Code of Maryland
32 (1994 Replacement Volume and 1998 Supplement)

1 BY repealing
2 Article - Health Occupations
3 Section 15-302
4 Annotated Code of Maryland
5 (1994 Replacement Volume and 1998 Supplement)

6 BY adding to
7 Article - Health Occupations
8 Section 15-302 and 15-302.1
9 Annotated Code of Maryland
10 (1994 Replacement Volume and 1998 Supplement)

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
12 MARYLAND, That the Laws of Maryland read as follows:

13 **Article - Health Occupations**

14 15-101.

15 (a) In this title the following words have the meanings indicated.

16 (b) "Board" means the State Board of Physician Quality Assurance,
17 established under § 14-201 of this article.

18 (c) "Certificate" means a certificate issued by the Board to a physician
19 assistant under this title.

20 (d) "Committee" means the Physician Assistant Advisory Committee.

21 (e) "Controlled dangerous substances" has the meaning stated in Art. 27, §
22 277 of the Code.

23 (f) ["Correctional facility" includes a State or local correctional facility.

24 (g) "Delegated medical acts" means activities that constitute the practice of
25 medicine delegated by a physician under Title 14 of this article.

26 (G) "DELEGATION AGREEMENT" MEANS A DOCUMENT THAT IS EXECUTED BY
27 A SUPERVISING PHYSICIAN AND A PHYSICIAN ASSISTANT CONTAINING THE
28 REQUIREMENTS OF §§ 15-302 AND 15-302.1 OF THIS TITLE.

29 (h) ["Designated pharmacy" means a pharmacy that has an agreement to
30 supply medications for a hospital, public health facility, correctional facility, or
31 detention center if:

32 (1) The hospital, public health facility, correctional facility, or detention
33 center does not have an on-site pharmacy; or

1 (2) The on-site pharmacy at the hospital, public health facility,
2 correctional facility, or detention center is closed or does not have a particular
3 medication in stock.

4 (i)] "Hospital" means:

5 (1) A hospital as defined under § 19-301(f) of the Health - General
6 Article;

7 (2) A comprehensive care facility that:

8 (i) Meets the requirements of a hospital-based skilled nursing
9 facility under federal law;

10 (ii) Offers acute care in the same building; and

11 (iii) Has the same protocols and degree of supervision of physician
12 assistants as it does in its acute care area; and

13 (3) An emergency room that is physically connected to a hospital.

14 [(j) "Job description" means a document executed by a physician assistant and
15 physician that has been approved under this title to permit the delegation of medical
16 acts to a certified physician assistant.

17 (k) "Medication order" means a directive written in a medical chart:

18 (1) For controlled dangerous substances, noncontrolled substances, or
19 nonprescription medications; and

20 (2) In accordance with the protocols of a hospital, public health facility,
21 correctional facility, or detention center.

22 [(l)] (I) "National certifying examination" means an examination offered by a
23 national organization, which certifies physician assistants as having achieved a
24 certain level of training.

25 [(m)] (J) "Physician assistant" means an individual who is certified under this
26 title to perform delegated medical acts under the supervision of a physician.

27 [(n)] (K) "Practice as a physician assistant" means the performance of medical
28 acts THAT ARE:

29 (1) [delegated] DELEGATED BY A SUPERVISING PHYSICIAN to a
30 physician assistant [under this title];

31 (2) WITHIN THE SUPERVISING PHYSICIAN'S SCOPE OF PRACTICE; AND

32 (3) APPROPRIATE TO THE PHYSICIAN ASSISTANT'S EDUCATION,
33 TRAINING, AND EXPERIENCE.

1 (L) "PRESCRIPTIVE AUTHORITY" MEANS THE AUTHORITY DELEGATED BY A
 2 SUPERVISING PHYSICIAN TO A PHYSICIAN ASSISTANT TO PRESCRIBE AND
 3 ADMINISTER CONTROLLED DANGEROUS SUBSTANCES, PRESCRIPTION DRUGS, AND
 4 MEDICAL DEVICES.

5 [(o) "Protocols" means written policies, bylaws, rules, or regulations
 6 established by a hospital, public health facility, correctional facility, or detention
 7 center that:

8 (1) Are established in consultation with and with the approval of its
 9 medical staff;

10 (2) Describe the delegated medical acts a physician assistant may
 11 execute; and

12 (3) Specify the minimum requirements for supervision by a physician.

13 (p) "Public health facility" means a fixed site where clinical public health
 14 services are rendered under the auspices of the Department, a local health
 15 department in a county, or the Baltimore City Health Department.

16 (q) (M) "Supervising physician" means a physician who has been approved
 17 by the Board to supervise 1 or more physician assistants.

18 [(r) (N) (1) "Supervision" means [the responsibility of a physician to
 19 exercise on site supervision or immediately available direction for physician
 20 assistants performing delegated medical acts] PHYSICIAN OVERSIGHT OF AND
 21 ACCEPTANCE OF DIRECT RESPONSIBILITY FOR THE PATIENT SERVICES AND CARE
 22 RENDERED BY A PHYSICIAN ASSISTANT, INCLUDING CONTINUOUS AVAILABILITY TO
 23 THE PHYSICIAN ASSISTANT IN PERSON, THROUGH WRITTEN INSTRUCTIONS, OR BY
 24 ELECTRONIC MEANS.

25 (2) "SUPERVISION" MAY NOT BE CONSTRUED TO REQUIRE ON-SITE
 26 SUPERVISION AT ALL TIMES.

27 15-301.

28 (a) NOTHING IN THIS TITLE MAY BE CONSTRUED TO AUTHORIZE A PHYSICIAN
 29 ASSISTANT TO PRACTICE INDEPENDENT OF A SUPERVISING PHYSICIAN.

30 [(1)] (B) A certificate issued to a physician assistant shall limit the
 31 physician assistant's scope of practice to MEDICAL ACTS:

32 (1) DELEGATED BY THE SUPERVISING PHYSICIAN;

33 [(i)] (2) [Services within the training or] APPROPRIATE TO THE
 34 EDUCATION, TRAINING, AND experience of the physician assistant;

35 [(ii)] (3) [Services customary] CUSTOMARY to the practice of the
 36 supervising physician;

1 [(iii) Services delegated by the supervising physician;] and

2 [(iv)] (4) [The approved job description from] CONSISTENT WITH
3 THE DELEGATION AGREEMENT SUBMITTED TO the Board.

4 [(2) Patient services provided by a physician assistant are limited to:

5 (i) 1. Taking complete, detailed, and accurate patient histories;
6 and

7 2. Reviewing patient records to develop comprehensive
8 medical status reports;

9 (ii) Performing physical examinations and recording all pertinent
10 patient data;

11 (iii) Interpreting and evaluating patient data as authorized by the
12 supervising physician for the purpose of determining management and treatment of
13 patients;

14 (iv) Initiating requests for or performing diagnostic procedures as
15 indicated by pertinent data and as authorized by the supervising physician;

16 (v) Providing instructions and guidance regarding medical care
17 matters to patients;

18 (vi) Assisting the supervising physician in the delivery of services to
19 patients who require medical care in the home and in health care institutions,
20 including:

21 1. Recording patient progress notes;

22 2. Issuing diagnostic orders that must be countersigned by
23 the supervising physician within 48 hours; and

24 3. Transcribing or executing specific orders at the direction
25 of the supervising physician;

26 (vii) Writing medication orders under an approved job description
27 and in accordance with § 15-302 of this subtitle; and

28 (viii) Other medical acts permitted to be delegated under an
29 approved job description.]

30 [(b)] (C) (1) Except as otherwise provided in this title, an individual shall be
31 certified by the Board before the individual may practice as a physician assistant.

32 [(2) Nothing in this title may be construed to authorize a physician
33 assistant to practice independent of a supervising physician.]

1 [(3)] (2) Except as otherwise provided in this title, a physician may not
2 supervise a physician assistant in the performance of delegated medical acts without
3 the approval of the Board.

4 [(4)] (3) Except as otherwise provided in this title or in a medical
5 emergency, a physician assistant may not perform any medical act for which:

6 (i) The individual has not been certified; and

7 (ii) The medical acts have not been delegated by a supervising
8 physician.

9 (D) A PHYSICIAN ASSISTANT IS THE AGENT OF THE SUPERVISING PHYSICIAN
10 IN THE PERFORMANCE OF ALL PRACTICE-RELATED ACTIVITIES, INCLUDING THE
11 ORAL, WRITTEN, OR ELECTRONIC ORDERING OF DIAGNOSTIC, THERAPEUTIC, AND
12 OTHER MEDICAL SERVICES.

13 [(c)] (E) Except as provided in subsection [(d)] (F) of this section, the
14 following individuals may practice as a physician assistant without a certificate:

15 (1) A physician assistant student in a PHYSICIAN ASSISTANT training
16 program THAT IS ACCREDITED BY THE COMMISSION ON ALLIED HEALTH EDUCATION
17 PROGRAMS AND approved by the Board[, while performing the delegated medical acts
18 at:

19 (i) Any office of a physician;

20 (ii) A hospital;

21 (iii) A clinic;

22 (iv) A related institution; or

23 (v) A similar facility]; or

24 (2) A physician assistant employed in the service of the federal
25 government while performing duties incident to that employment.

26 [(d)] (F) A physician may not delegate the authority to write [medication
27 orders] PRESCRIPTIONS FOR CONTROLLED DANGEROUS SUBSTANCES,
28 PRESCRIPTION DRUGS, OR MEDICAL DEVICES to a physician assistant student in a
29 training program approved by the Board.

30 [(e)] (G) (1) Except as prohibited by § 15-102(a) of this title, if a duty that is
31 to be delegated under this section is a part of the practice of a health occupation that
32 is regulated under this article by another board, any rule or regulation concerning
33 that duty shall be adopted jointly by the Board of Physician Quality Assurance and
34 the board that regulates the other health occupation.

35 (2) If the two boards cannot agree on a proposed rule or regulation, the
36 proposal shall be submitted to the Secretary for a final decision.

1 [15-302.

2 (a) To perform delegated medical acts within the scope of this title, a physician
3 assistant shall obtain an approved job description from the Board.

4 (b) To apply for a job description, a physician assistant shall:

5 (1) Submit an application to the Board:

6 (i) Listing all medical acts to be delegated to the physician
7 assistant and the supervision to be performed;

8 (ii) Describing the setting in which the physician assistant shall
9 practice and the qualifications of the supervising physician;

10 (iii) Describing the specialized training provided to the physician
11 assistant and the supervision to be provided by the supervising physician; and

12 (iv) Providing other information deemed necessary by the Board or
13 the Committee;

14 (2) Submit to the Board the fee set by the Board; and

15 (3) Comply with all other requirements established by the Board.

16 (c) The Committee shall:

17 (1) Evaluate the qualifications of the physician assistant for delegated
18 medical acts to be performed under the job description; and

19 (2) Recommend to the Board the approval, rejection, or modification of
20 any application for a job description.

21 (d) The Board may authorize a physician to delegate the authority to write
22 medication orders under an approved job description only if:

23 (1) The physician assistant:

24 (i) Completes an application for expanded job duties on a form
25 provided by the Board regardless of whether the physician assistant already has a job
26 description on file with the Board;

27 (ii) States on the application whether controlled dangerous
28 substances, noncontrolled substances, or nonprescription medications may be ordered
29 by the physician assistant;

30 (iii) Provides evidence of:

31 1. Certification by the National Commission on the
32 Certification of Physician Assistants, Inc. within the previous 2 years; or

1 (ii) Notifies the Board if the physician assistant's authority to write
2 medication orders has been restricted or removed by the supervising physician,
3 revoked by disciplinary measures of a hospital, public health facility, correctional
4 facility, or detention center, or if the physician assistant no longer provides care in a
5 setting where medication order writing has been authorized; and

6 (8) In an emergency room, a physician assistant discusses a patient's
7 treatment plan, including medication orders, with a supervising physician prior to
8 patient discharge.

9 (e) The Board shall adopt regulations to carry out the provisions of this
10 section.

11 (f) A physician assistant who has been approved by the Board to write
12 medication orders may not write medication orders for controlled dangerous
13 substances in accordance with this section unless the physician assistant has a valid:

14 (1) State controlled dangerous substances registration; and

15 (2) Federal Drug Enforcement Agency (DEA) registration unless the
16 registration is waived by the DEA.

17 (g) (1) On a quarterly basis, the Board shall provide a list of physician
18 assistants authorized to write medication orders to:

19 (i) Each pharmacy located in or designated by a hospital, public
20 health facility, correctional facility, or detention center; and

21 (ii) The Board of Pharmacy.

22 (2) The list required under paragraph (1) of this subsection shall specify
23 whether each physician assistant is authorized to write medication orders for
24 controlled dangerous substances, noncontrolled substances, or nonprescription
25 medications.

26 (h) The Committee may conduct a personal interview of the physician
27 assistant and the supervisory physician.

28 (i) On review of the Committee's recommendation, the Board:

29 (1) May approve, modify, or deny a request for certification; and

30 (2) Shall notify the physician assistant in writing of the reasons for the
31 Board's decision.

32 (j) The physician assistant shall file and obtain the Board's approval of an
33 expanded job description before any substantial change occurs in:

34 (1) The delegated medical acts;

35 (2) The extent of supervision provided; or

1 (3) The practice setting.

2 (k) (1) A job description approved under this title shall be reviewed as a
3 component of the certificate renewal process established under § 15-307 of this title.

4 (2) Expiration of a certificate shall result in expiration of a job
5 description.]

6 15-302.

7 (A) SUBJECT TO THE PROVISIONS OF SUBSECTION (I) OF THIS SECTION, THE
8 BOARD MAY AUTHORIZE A PHYSICIAN TO DELEGATE MEDICAL ACTS TO A PHYSICIAN
9 ASSISTANT ONLY AFTER:

10 (1) A DELEGATION AGREEMENT HAS BEEN EXECUTED AND SUBMITTED
11 TO THE COMMITTEE FOR REVIEW TO ENSURE THE DELEGATION AGREEMENT
12 CONTAINS THE REQUIREMENTS OF THIS SUBTITLE; AND

13 (2) THE BOARD HAS REVIEWED AND APPROVED A FAVORABLE
14 RECOMMENDATION BY THE COMMITTEE THAT THE REQUIREMENTS OF THIS
15 SUBTITLE HAVE BEEN MET.

16 (B) THE DELEGATION AGREEMENT SHALL CONTAIN:

17 (1) A DESCRIPTION OF THE QUALIFICATIONS OF THE SUPERVISING
18 PHYSICIAN AND PHYSICIAN ASSISTANT;

19 (2) A DESCRIPTION OF THE SETTINGS IN WHICH THE PHYSICIAN
20 ASSISTANT WILL PRACTICE;

21 (3) A DESCRIPTION OF THE CONTINUOUS PHYSICIAN SUPERVISION
22 MECHANISMS THAT ARE REASONABLE AND APPROPRIATE TO THE PRACTICE
23 SETTING;

24 (4) AN ATTESTATION THAT ALL MEDICAL ACTS TO BE DELEGATED TO
25 THE PHYSICIAN ASSISTANT ARE WITHIN THE SCOPE OF PRACTICE OF THE
26 SUPERVISING PHYSICIAN AND APPROPRIATE TO THE PHYSICIAN ASSISTANT'S
27 EDUCATION, TRAINING, AND LEVEL OF COMPETENCE;

28 (5) AN ATTESTATION OF CONTINUOUS SUPERVISION OF THE PHYSICIAN
29 ASSISTANT BY THE SUPERVISING PHYSICIAN THROUGH THE MECHANISMS
30 DESCRIBED IN THE DELEGATION AGREEMENT;

31 (6) AN ATTESTATION BY THE SUPERVISING PHYSICIAN OF ASSUMPTION
32 OF PROFESSIONAL AND LEGAL LIABILITY FOR THE PHYSICIAN ASSISTANT'S PATIENT
33 CARE ACTIVITIES; AND

34 (7) ANY OTHER INFORMATION DEEMED NECESSARY BY THE BOARD OR
35 COMMITTEE TO CARRY OUT THE PROVISIONS OF THIS SUBTITLE.

1 (C) THE DELEGATION AGREEMENT SHALL BE SUBMITTED WITH THE
2 APPLICATION FEE ESTABLISHED BY THE BOARD AND THE SUPERVISING PHYSICIAN
3 AND PHYSICIAN ASSISTANT SHALL COMPLY WITH ALL OTHER REQUIREMENTS
4 ESTABLISHED BY THE BOARD IN ACCORDANCE WITH THIS TITLE.

5 (D) THE COMMITTEE SHALL REVIEW THE DELEGATION AGREEMENT AND
6 RECOMMEND TO THE BOARD THAT THE DELEGATION AGREEMENT BE APPROVED,
7 REJECTED, OR MODIFIED TO ENSURE CONFORMANCE WITH THE REQUIREMENTS OF
8 THIS TITLE.

9 (E) THE COMMITTEE MAY CONDUCT A PERSONAL INTERVIEW OF THE
10 SUPERVISING PHYSICIAN AND THE PHYSICIAN ASSISTANT.

11 (F) ON REVIEW OF THE COMMITTEE'S RECOMMENDATION REGARDING A
12 SUPERVISING PHYSICIAN'S REQUEST TO DELEGATE MEDICAL ACTS AS DESCRIBED IN
13 A DELEGATION AGREEMENT, THE BOARD:

14 (1) MAY APPROVE OR, FOR GOOD CAUSE, MODIFY OR DISAPPROVE THE
15 COMMITTEE'S RECOMMENDATION; AND

16 (2) SHALL NOTIFY THE SUPERVISING PHYSICIAN AND PHYSICIAN
17 ASSISTANT IN WRITING OF THE REASONS FOR A BOARD DECISION TO MODIFY OR
18 DISAPPROVE THE PHYSICIAN'S REQUEST TO DELEGATE MEDICAL ACTS AS
19 DESCRIBED IN THE DELEGATION AGREEMENT.

20 (G) IF THE BOARD DETERMINES THAT A SUPERVISING PHYSICIAN OR
21 PHYSICIAN ASSISTANT IS PRACTICING IN A MANNER INCONSISTENT WITH THE
22 REQUIREMENTS OF THIS TITLE OR TITLE 14 OF THIS ARTICLE, THE BOARD ON ITS
23 OWN INITIATIVE OR ON THE RECOMMENDATION OF THE COMMITTEE MAY DEMAND
24 MODIFICATION OF THE PRACTICE, WITHDRAW THE APPROVAL OF THE DELEGATION
25 AGREEMENT, OR TAKE OTHER DISCIPLINARY ACTION UNDER § 14-404 OR § 15-314 OF
26 THIS ARTICLE.

27 (H) (1) A DELEGATION AGREEMENT APPROVED UNDER THIS SUBTITLE MAY
28 BE REVIEWED AS A COMPONENT OF THE CERTIFICATE RENEWAL PROCESS
29 ESTABLISHED UNDER § 15-307 OF THIS SUBTITLE.

30 (2) A DELEGATION AGREEMENT SHALL EXPIRE WHEN A PHYSICIAN
31 ASSISTANT'S CERTIFICATE EXPIRES.

32 (I) THE BOARD MAY NOT AUTHORIZE A PHYSICIAN TO DELEGATE MEDICAL
33 ACTS UNDER A DELEGATION AGREEMENT TO MORE THAN FOUR PHYSICIAN
34 ASSISTANTS IN A NONHOSPITAL SETTING.

35 (J) A PERSON MAY NOT COERCE ANOTHER PERSON TO ENTER INTO A
36 DELEGATION AGREEMENT UNDER THIS SUBTITLE.

1 15-302.1.

2 (A) A SUPERVISING PHYSICIAN MAY NOT DELEGATE PRESCRIBING AND
3 ADMINISTERING OF CONTROLLED DANGEROUS SUBSTANCES, PRESCRIPTION DRUGS,
4 OR MEDICAL DEVICES UNLESS THE SUPERVISING PHYSICIAN AND PHYSICIAN
5 ASSISTANT INCLUDE IN THE DELEGATION AGREEMENT:

6 (1) A NOTICE OF INTENT TO DELEGATE PRESCRIBING OF CONTROLLED
7 DANGEROUS SUBSTANCES, PRESCRIPTION DRUGS, OR MEDICAL DEVICES;

8 (2) AN ATTESTATION THAT ALL PRESCRIBING ACTIVITIES OF THE
9 PHYSICIAN ASSISTANT WILL COMPLY WITH APPLICABLE FEDERAL AND STATE
10 REGULATIONS;

11 (3) AN ATTESTATION THAT ALL MEDICAL CHARTS OR RECORDS:

12 (I) WILL CONTAIN A NOTATION OF ANY PRESCRIPTIONS WRITTEN
13 BY A PHYSICIAN ASSISTANT IN ACCORDANCE WITH THIS SECTION; AND

14 (II) WILL BE REVIEWED AND COSIGNED BY THE SUPERVISING
15 PHYSICIAN WITHIN A PERIOD REASONABLE AND APPROPRIATE TO THE PRACTICE
16 SETTING AND CONSISTENT WITH CURRENT STANDARDS OF ACCEPTABLE MEDICAL
17 PRACTICE;

18 (4) AN ATTESTATION THAT ALL PRESCRIPTIONS WRITTEN UNDER THIS
19 SECTION WILL INCLUDE THE PHYSICIAN ASSISTANT'S NAME AND THE SUPERVISING
20 PHYSICIAN'S NAME, BUSINESS ADDRESS, AND BUSINESS TELEPHONE NUMBER
21 LEGIBLY WRITTEN OR PRINTED;

22 (5) EVIDENCE DEMONSTRATING:

23 (I) PASSAGE OF THE PHYSICIAN ASSISTANT NATIONAL
24 CERTIFICATION EXAM ADMINISTERED BY THE NATIONAL COMMISSION ON THE
25 CERTIFICATION OF PHYSICIAN ASSISTANTS WITHIN THE PREVIOUS 2 YEARS; OR

26 (II) SUCCESSFUL COMPLETION OF 8 CATEGORY 1 HOURS OF
27 PHARMACOLOGY EDUCATION WITHIN THE PREVIOUS 2 YEARS; AND

28 (6) EVIDENCE DEMONSTRATING:

29 (I) A BACHELOR'S DEGREE OR ITS EQUIVALENT;

30 (II) 2 YEARS OF WORK EXPERIENCE AS A PHYSICIAN ASSISTANT; OR

31 (III) APPROVAL BY THE BOARD OF A JOB DESCRIPTION, INCLUDING
32 APPROVAL FOR WRITING PRESCRIPTIONS FOR CONTROLLED DANGEROUS
33 SUBSTANCES, PRESCRIPTION DRUGS, AND MEDICAL DEVICES.

34 (B) (1) A SUPERVISING PHYSICIAN MAY NOT DELEGATE THE PRESCRIBING
35 OF SUBSTANCES THAT ARE IDENTIFIED AS SCHEDULE I CONTROLLED DANGEROUS
36 SUBSTANCES UNDER ARTICLE 27, § 279 OF THE CODE.

1 (2) A SUPERVISING PHYSICIAN MAY NOT DELEGATE THE PRESCRIBING
2 OF CONTROLLED DANGEROUS SUBSTANCES TO A PHYSICIAN ASSISTANT UNLESS
3 THE PHYSICIAN ASSISTANT HAS A VALID:

4 (I) STATE CONTROLLED DANGEROUS SUBSTANCE REGISTRATION;
5 AND

6 (II) FEDERAL DRUG ENFORCEMENT AGENCY (DEA) REGISTRATION.

7 (C) (1) ON A QUARTERLY BASIS, THE BOARD SHALL PROVIDE TO THE BOARD
8 OF PHARMACY A LIST OF PHYSICIAN ASSISTANTS WHOSE DELEGATION AGREEMENTS
9 INCLUDE THE DELEGATION OF PRESCRIBING CONTROLLED DANGEROUS
10 SUBSTANCES, PRESCRIPTION DRUGS, OR MEDICAL DEVICES.

11 (2) THE LIST REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION
12 SHALL SPECIFY WHETHER EACH PHYSICIAN ASSISTANT HAS BEEN DELEGATED THE
13 AUTHORITY TO PRESCRIBE CONTROLLED DANGEROUS SUBSTANCES, PRESCRIPTION
14 DRUGS, OR MEDICAL DEVICES.

15 (3) IF A SUPERVISING PHYSICIAN WHO HAS DELEGATED PRESCRIBING
16 OR ADMINISTERING OF CONTROLLED DANGEROUS SUBSTANCES, PRESCRIPTION
17 DRUGS, OR MEDICAL DEVICES TO A PHYSICIAN ASSISTANT SUBSEQUENTLY
18 RESTRICTS OR REMOVES THE DELEGATION, THE SUPERVISING PHYSICIAN SHALL
19 NOTIFY THE BOARD OF THE RESTRICTION OR REMOVAL WITHIN 5 BUSINESS DAYS.

20 SECTION 2. AND BE IT FURTHER ENACTED, That the State Board of
21 Physician Quality Assurance shall include in the Board's annual report information
22 relating to the implementation and effects of this Act.

23 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
24 October 1, 1999.