

House Bill 349

By: Representatives Spencer of the 180th, Stephens of the 164th, Kidd of the 145th, Sharper of the 177th, Kaiser of the 59th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 43-34-103 of the Official Code of Georgia Annotated, relating to
2 delegation of authority to physician assistants, so as to authorize a physician to delegate to
3 a physician assistant the authority to prescribe Schedule II controlled substances under
4 certain conditions; to require additional continuing education; to provide for related matters;
5 to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Code Section 43-34-103 of the Official Code of Georgia Annotated, relating to delegation
9 of authority to physician assistants, is amended by revising paragraph (1) and by adding a
10 new paragraph to subsection (e.1) to read as follows:

11 "(e.1)(1)(A) In addition to and without limiting the authority granted by Code Section
12 43-34-23, a physician may delegate to a physician assistant, in accordance with a job
13 description, the authority to issue a prescription drug order or orders for any device as
14 defined in Code Section 26-4-5 or to issue any dangerous drug as defined in Code
15 Section 16-13-71, any Schedule II controlled substance in accordance with
16 subparagraph (B) of this paragraph, or any Schedule III, IV, or V controlled substance
17 as defined in Code Section 16-13-21 on a prescription drug order or prescription device
18 order form as specified in paragraph (3) of this subsection. Delegation of such
19 authority shall be contained in the job description required by this Code section. The
20 delegating physician shall remain responsible for the medical acts of the physician
21 assistant performing such delegated acts and shall adequately supervise the physician
22 assistant. If an existing job description for a physician assistant does not contain such
23 authority to order a prescription drug or device order as provided by this subsection,
24 that physician assistant may not issue any such prescription drug or device order until
25 a new job description delegating such authority is submitted to and approved by the

26 board. Nothing in this Code section shall be construed to authorize the written
27 prescription drug order of a Schedule I ~~or H~~ controlled substance.

28 (B)(i) A physician may delegate to a physician assistant, in accordance with a job
29 description, the authority to issue a prescription drug order or orders for any Schedule
30 II controlled substance in accordance with any requirements and limitations
31 established by the board.

32 (ii) A physician shall not delegate to a physician assistant the authority to issue a
33 prescription drug order or orders for any Schedule II controlled substance which is not
34 within the scope of practice of such physician."

35 "(11.1) A physician assistant delegated the authority by the primary supervising
36 physician to issue a prescription drug order for a Schedule II controlled substance shall
37 be required to complete three hours of continuing education biennially in the appropriate
38 ordering and use of Schedule II medications."

39 **SECTION 2.**

40 All laws and parts of laws in conflict with this Act are repealed.