

STATE OF OKLAHOMA

2nd Session of the 59th Legislature (2024)

SENATE BILL 1898

By: Standridge

AS INTRODUCED

An Act relating to physician assistants; amending 59 O.S. 2021, Section 519.6, which relates to services performed; modifying authority of physician assistant to prescribe, order, and administer drugs; authorizing certain referral of violations; amending 63 O.S. 2021, Section 2-312, as amended by Section 2, Chapter 184, O.S.L. 2022 (63 O.S. Supp. 2023, Section 2-312), which relates to authority to prescribe, administer, or dispense; modifying prescriptive authority of physician assistants; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 59 O.S. 2021, Section 519.6, is amended to read as follows:

Section 519.6. A. No health care services may be performed by a physician assistant unless a current license is on file with and approved by the State Board of Medical Licensure and Supervision. All practice agreements and any amendments shall be filed with the State Board of Medical Licensure and Supervision within ten (10) business days of being executed. Practice agreements may be filed electronically. The State Board of Medical Licensure and

1 Supervision shall not charge a fee for filing or amendments of
2 practice agreements.

3 B. A physician assistant may have practice agreements with
4 multiple allopathic or osteopathic physicians. Each physician shall
5 be in good standing with the State Board of Medical Licensure and
6 Supervision or the State Board of Osteopathic Examiners.

7 C. The delegating physician need not be physically present nor
8 be specifically consulted before each delegated patient care service
9 is performed by a physician assistant, so long as the delegating
10 physician and physician assistant are or can be easily in contact
11 with one another by means of telecommunication. In all patient care
12 settings, the delegating physician shall provide appropriate methods
13 of participating in health care services provided by the physician
14 assistant including:

- 15 a. being responsible for the formulation or approval of
16 all orders and protocols, whether standing orders,
17 direct orders or any other orders or protocols, which
18 direct the delivery of health care services provided
19 by a physician assistant, and periodically reviewing
20 such orders and protocols,
- 21 b. regularly reviewing the health care services provided
22 by the physician assistant and any problems or
23 complications encountered,

- 1 c. being available physically or through telemedicine or
2 direct telecommunications for consultation, assistance
3 with medical emergencies or patient referral,
4 d. reviewing a sample of outpatient medical records.
5 Such reviews shall take place at a site agreed upon
6 between the delegating physician and physician
7 assistant in the practice agreement which may also
8 occur using electronic or virtual conferencing, and
9 e. that it remains clear that the physician assistant is
10 an agent of the delegating physician; but, in no event
11 shall the delegating physician be an employee of the
12 physician assistant.

13 D. In patients with newly diagnosed complex illnesses, the
14 physician assistant shall contact the delegating physician within
15 forty-eight (48) hours of the physician assistant's initial
16 examination or treatment and schedule the patient for appropriate
17 evaluation by the delegating physician as directed by the physician.
18 The delegating physician shall determine which conditions qualify as
19 complex illnesses based on the clinical setting and the skill and
20 experience of the physician assistant.

21 E. 1. A physician assistant under the direction of a
22 delegating physician may prescribe written and oral prescriptions
23 and orders. The physician assistant may prescribe medical supplies,
24 services, and drugs, including controlled medications in Schedules

1 III through V pursuant to Section 2-312 of Title 63 of the Oklahoma
2 Statutes and may order and administer drugs including controlled
3 medication in Schedules II through V pursuant to Section 2-312 of
4 Title 63 of the Oklahoma Statutes, and medical supplies and services
5 as delegated by the delegating physician and as approved by the
6 State Board of Medical Licensure and Supervision after consultation
7 with the State Board of Pharmacy on the Physician Assistant Drug
8 Formulary.

9 ~~2.~~ A physician assistant may only write an order for a Schedule
10 II drug if the drug is ordered for immediate or ongoing
11 administration on site.

12 2. Prescriptions and orders ~~for Schedule II drugs~~ written by a
13 physician assistant must be included on a written protocol
14 determined by the delegating physician and approved by the medical
15 staff committee of the facility or by direct verbal order of the
16 delegating physician. Physician assistants may not dispense drugs,
17 but may request, receive, and sign for professional samples and may
18 distribute professional samples to patients.

19 3. If the State Board of Medical Licensure and Supervision
20 finds a physician assistant in violation of this subsection, the
21 Board may refer the case to a district attorney or the Attorney
22 General for investigation and prosecution.

23 F. A physician assistant may perform health care services in
24 patient care settings as authorized by the delegating physician.

1 G. Each physician assistant licensed under the Physician
2 Assistant Act shall keep his or her license available for inspection
3 at the primary place of business and shall, when engaged in
4 professional activities, identify himself or herself as a physician
5 assistant.

6 H. A physician assistant shall be bound by the provisions
7 contained in Sections 725.1 through 725.5 of Title 59 of the
8 Oklahoma Statutes.

9 SECTION 2. AMENDATORY 63 O.S. 2021, Section 2-312, as
10 amended by Section 2, Chapter 184, O.S.L. 2022 (63 O.S. Supp. 2023,
11 Section 2-312), is amended to read as follows:

12 Section 2-312. A. A physician, podiatrist, optometrist or a
13 dentist who has complied with the registration requirements of the
14 Uniform Controlled Dangerous Substances Act, in good faith and in
15 the course of such person's professional practice only, may
16 prescribe and administer controlled dangerous substances, or may
17 cause the same to be administered by medical or paramedical
18 personnel acting under the direction and supervision of the
19 physician, podiatrist, optometrist or dentist, and only may dispense
20 controlled dangerous substances pursuant to the provisions of
21 Sections 355.1 and 355.2 of Title 59 of the Oklahoma Statutes.

22 B. A veterinarian who has complied with the registration
23 requirements of the Uniform Controlled Dangerous Substances Act, in
24 good faith and in the course of the professional practice of the
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1 veterinarian only, and not for use by a human being, may prescribe,
2 administer, and dispense controlled dangerous substances and may
3 cause them to be administered by an assistant or orderly under the
4 direction and supervision of the veterinarian.

5 C. An advanced practice nurse who is recognized to prescribe by
6 the Oklahoma Board of Nursing as an advanced registered nurse
7 practitioner, clinical nurse specialist or certified nurse-midwife,
8 who is subject to medical direction by a supervising physician,
9 pursuant to Section 567.3a of Title 59 of the Oklahoma Statutes, and
10 who has complied with the registration requirements of the Uniform
11 Controlled Dangerous Substances Act, in good faith and in the course
12 of professional practice only, may prescribe and administer Schedule
13 III, IV and V controlled dangerous substances.

14 D. An advanced practice nurse who is recognized to order,
15 select, obtain and administer drugs by the Oklahoma Board of Nursing
16 as a certified registered nurse anesthetist pursuant to Section
17 353.1b of Title 59 of the Oklahoma Statutes and who has complied
18 with the registration requirements of the Uniform Controlled
19 Dangerous Substances Act, in good faith and in the course of such
20 practitioner's professional practice only, may order, select, obtain
21 and administer Schedules II through V controlled dangerous
22 substances in a preanesthetic preparation or evaluation; anesthesia
23 induction, maintenance or emergence; or postanesthesia care setting
24 only. A certified registered nurse anesthetist may order, select,

1 obtain and administer such drugs only during the perioperative or
2 periobstetrical period.

3 E. A physician assistant who is recognized to prescribe by the
4 State Board of Medical Licensure and Supervision under the medical
5 direction of a supervising physician, pursuant to Section 519.6 of
6 Title 59 of the Oklahoma Statutes, and who has complied with the
7 registration requirements of the Uniform Controlled Dangerous
8 Substances Act, in good faith and in the course of professional
9 practice only, may prescribe Schedule III through V controlled
10 dangerous substances and may order and administer Schedule II
11 through V controlled dangerous substances.

12 SECTION 3. This act shall become effective November 1, 2024.

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