

PROPOSED
HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2075
(Reference to printed bill)

1 Page 1, between lines 1 and 2, insert:

2 "Section 1. Section 32-2504, Arizona Revised Statutes, is amended to
3 read:

4 32-2504. Powers and duties; delegation of authority; rules;
5 subcommittees; immunity

6 A. The board shall:

7 1. As its primary duty, protect the public from unlawful,
8 incompetent, unqualified, impaired or unprofessional physician assistants.

9 2. License and regulate physician assistants pursuant to this
10 chapter.

11 3. Order and evaluate physical, psychological, psychiatric and
12 competency testing of licensees and applicants the board determines is
13 necessary to enforce this chapter.

14 4. Review the credentials and the abilities of applicants for
15 licensure whose professional records or physical or mental capabilities may
16 not meet the requirements of this chapter.

17 5. Initiate investigations and determine on its own motion whether a
18 licensee has engaged in unprofessional conduct or is or may be incompetent
19 or mentally or physically unable to safely perform health care tasks.

20 6. Establish fees and penalties pursuant to section 32-2526.

21 7. Develop and recommend standards governing the profession.

1 8. Engage in the full exchange of information with the licensing and
2 disciplinary boards and professional associations of other states and
3 jurisdictions of the United States and foreign countries and a statewide
4 association for physician assistants.

5 9. Direct the preparation and circulation of educational material
6 the board determines is helpful and proper for its licensees.

7 10. Discipline and rehabilitate physician assistants pursuant to
8 this chapter.

9 11. ~~Beginning October 1, 2018,~~ Certify physician assistants for
10 THIRTY-DAY PRESCRIPTION PRIVILEGES FOR SCHEDULE II, SCHEDULE III, SCHEDULE
11 IV AND SCHEDULE V CONTROLLED SUBSTANCES THAT ARE OPIOIDS OR BENZODIAZEPINE
12 AND ninety-day prescription privileges for schedule II, ~~or~~ schedule III,
13 SCHEDULE IV AND SCHEDULE V controlled substances that are not opioids or
14 benzodiazepine if the physician assistant either:

15 (a) Within the preceding three years of application, completed
16 forty-five hours in pharmacology or clinical management of drug therapy or
17 at the time of application is certified by a national commission on the
18 certification of physician assistants or its successor.

19 (b) Met any other requirement established by board rule.

20 B. The board may delegate to the executive director the board's
21 authority pursuant to this section or section 32-2551. The board shall
22 adopt a substantive policy statement pursuant to section 41-1091 for each
23 specific licensing and regulatory authority the board delegates to the
24 executive director.

25 C. The board may make and adopt rules necessary or proper for the
26 administration of this chapter.

27 D. The chairperson may establish subcommittees consisting of board
28 members and define their duties as the chairperson deems necessary to carry
29 out the functions of the board.

1 E. Board employees, including the executive director, temporary
2 personnel and professional medical investigators, are immune from civil
3 liability for good faith actions they take to enforce this chapter.

4 F. In performing its duties pursuant to subsection A of this
5 section, the board may receive and review staff reports on complaints,
6 malpractice cases and all investigations.

7 G. The chairperson and vice chairperson of the Arizona regulatory
8 board of physician assistants are members of the committee on executive
9 director selection and retention established by section 32-1403, subsection
10 G, which is responsible for the appointment of the executive director
11 pursuant to section 32-1405.

12 Sec. 2. Section 32-2532, Arizona Revised Statutes, is amended to
13 read:

14 32-2532. Prescribing, administering and dispensing drugs;
15 limits and requirements; notice

16 A. Except as provided in subsection F of this section, a physician
17 assistant shall not prescribe, dispense or administer:

18 1. A schedule II or schedule III controlled substance as defined in
19 the federal controlled substances act of 1970 (P.L. 91-513; 84 Stat. 1242;
20 21 United States Code section 802) without delegation by the supervising
21 physician, board approval and United States drug enforcement administration
22 registration.

23 2. A schedule IV or schedule V controlled substance as defined in
24 the federal controlled substances act of 1970 without United States drug
25 enforcement administration registration and delegation by the supervising
26 physician.

27 3. Prescription-only medication without delegation by the
28 supervising physician.

29 4. Prescription medication intended to perform or induce an
30 abortion.

1 B. All prescription orders issued by a physician assistant shall
2 contain the name, address and telephone number of the physician
3 assistant. A physician assistant shall issue prescription orders for
4 controlled substances under the physician assistant's own United States
5 drug enforcement administration registration number.

6 C. ~~Unless certified for ninety-day prescription privileges pursuant~~
7 ~~to section 32-2504, subsection A, a physician assistant shall not prescribe~~
8 ~~a schedule II or schedule III controlled substance for a period exceeding~~
9 ~~seventy-two hours.~~ IF CERTIFIED FOR PRESCRIPTION PRIVILEGES PURSUANT TO
10 SECTION 32-2504, SUBSECTION A, INITIAL PRESCRIPTIONS FOR SCHEDULE II
11 CONTROLLED SUBSTANCES THAT ARE OPIOIDS ARE SUBJECT TO THE LIMITS PRESCRIBED
12 IN SECTIONS 32-3248 AND 32-3248.01 IF THE PHYSICIAN ASSISTANT HAS BEEN
13 DELEGATED TO PRESCRIBE SCHEDULE II CONTROLLED SUBSTANCES BY THE SUPERVISING
14 PHYSICIAN PURSUANT TO THIS SECTION. For each schedule IV or schedule V
15 controlled substance, ~~a~~ THE physician assistant may not prescribe the
16 controlled substance more than five times in a six-month period for each
17 patient.

18 D. A prescription for a schedule ~~II or~~ III controlled substance that
19 is an opioid or benzodiazepine is not refillable without the written
20 consent of the supervising physician.

21 E. Prescription-only drugs shall not be dispensed, prescribed or
22 refillable for a period exceeding one year.

23 F. Except in an emergency, a physician assistant may dispense
24 schedule II or schedule III controlled substances for a period of use of
25 not to exceed seventy-two hours with board approval or any other controlled
26 substance for a period of use of not to exceed ninety days and may
27 administer controlled substances without board approval if it is medically
28 indicated in an emergency dealing with potential loss of life or limb or
29 major acute traumatic pain. Notwithstanding the authority granted in this
30 subsection, a physician assistant may not dispense a schedule II controlled

1 substance that is an opioid, except for an implantable device or an opioid
2 that is for medication-assisted treatment for substance use disorders.

3 G. Except for samples provided by manufacturers, all drugs dispensed
4 by a physician assistant shall be:

5 ~~1. Prepackaged in a unit-of-use package by a pharmacist.~~

6 ~~2.~~ labeled to show the name of the physician assistant.

7 H. A physician assistant shall not obtain a drug from any source
8 other than the supervising physician or a pharmacist. A physician
9 assistant may receive manufacturers' samples if delegated to do so by the
10 supervising physician.

11 I. If a physician assistant is approved by the board to prescribe,
12 administer or dispense schedule II and schedule III controlled substances,
13 the physician assistant shall maintain an up-to-date and complete log of
14 all schedule II and schedule III controlled substances the physician
15 assistant administers or dispenses. The board may not grant a physician
16 assistant the authority to dispense schedule II controlled substances that
17 are opioids, except for implantable devices or opioids that are for
18 medication-assisted treatment for substance use disorders.

19 J. The board shall advise the Arizona state board of pharmacy and
20 the United States drug enforcement administration of all physician
21 assistants who are authorized to prescribe or dispense drugs and any
22 modification of their authority.

23 K. The Arizona state board of pharmacy shall notify all pharmacies
24 at least quarterly of physician assistants who are authorized to prescribe
25 or dispense drugs."

26 Renumber to conform

27 Page 2, lines 5 and 6, strike "in a county with a population of one hundred fifty
28 thousand persons or more"

29 Strike lines 8 through 10

30 Line 11, strike "prescription order as prescribed by federal law or
31 regulation."

- 1 Page 2, lines 24 and 25, after "SYSTEM" insert "OR A PHARMACY MANAGEMENT SYSTEM"
2 Lines 26 and 27, strike "OR RECEIVED PURSUANT TO SUBSECTION E OF THIS SECTION"
3 Line 30, after "SYSTEM" insert "OR PHARMACY MANAGEMENT SYSTEM"
- 4 Page 5, line 27, after "practitioner" strike remainder of line
5 Line 28, strike "persons or more"
6 Strike lines 30 through 34
7 Line 35, strike "shall be transmitted electronically to the dispensing
8 pharmacy."
9 Lines 38 and 39, after "SYSTEM" insert "OR A PHARMACY MANAGEMENT SYSTEM"
10 Line 40, strike "OR ISSUE PURSUANT TO SUBSECTION E OF THIS SECTION"
11 Line 43, after "SYSTEM" insert "OR PHARMACY MANAGEMENT SYSTEM"
- 12 Page 6, line 1, after "SYSTEM" insert "OR PHARMACY MANAGEMENT SYSTEM"
13 Lines 3 and 4, strike "OR ISSUES PURSUANT TO SUBSECTION E OF THIS SECTION"
14 Line 22, after "Q." insert "IN CONSULTATION WITH THE TASK FORCE ESTABLISHED
15 PURSUANT TO SECTION 36-2603,"
16 Between lines 26 and 27, insert:
17 "Sec. 4. Section 36-2603, Arizona Revised Statutes, is amended to
18 read:
19 36-2603. Computerized central database tracking system task
20 force; consultation on electronic prescribing;
21 membership
22 A. The board shall appoint a task force to help it administer the
23 computerized central database tracking system AND TO CONSULT WITH REGARDING
24 RECOMMENDATIONS FOR EXCEPTIONS TO THE ELECTRONIC PRESCRIBING REQUIREMENTS
25 PRESCRIBED IN SECTION 36-2525. The chairperson of the board shall chair
26 the task force. The task force shall include the following members:
27 1. Pharmacists, medical practitioners and other licensed health care
28 providers.
29 2. Representatives of professional societies and associations for
30 pharmacists, medical practitioners and other licensed health care
31 providers.

- 1 3. Representatives of professional licensing boards.
- 2 4. Representatives of the Arizona health care cost containment
- 3 system administration.
- 4 5. Representatives of state and federal agencies that have an
- 5 interest in ~~the control of~~ CONTROLLING controlled substances.
- 6 6. Criminal prosecutors.
- 7 B. The task force shall meet to establish the procedures and
- 8 conditions relating to the release of prescription information pursuant to
- 9 section 36-2604. The task force shall meet at least once each year and at
- 10 the call of the chairperson.
- 11 C. Task force members serve at the pleasure of the board and are not
- 12 eligible to receive compensation or reimbursement of expenses."
- 13 Renumber to conform
- 14 Amend title to conform

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C: MH