

Senate Engrossed
FILED
KEN BENNETT
SECRETARY OF STATE

State of Arizona
Senate
Fiftieth Legislature
First Regular Session
2011

CHAPTER 178

SENATE BILL 1030

AN ACT

AMENDING SECTIONS 32-2504, 32-2532 AND 32-2533, ARIZONA REVISED STATUTES;
RELATING TO PHYSICIAN ASSISTANTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

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

4 32-2504. Powers and duties; subcommittees

5 A. The board shall:

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

8 2. License and regulate physician assistants pursuant to this chapter.

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

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

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

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

19 7. Develop and recommend standards governing the profession.

20 8. Engage in the full exchange of information with the licensing and
21 disciplinary boards and professional associations of other states and
22 jurisdictions of the United States and foreign countries and a statewide
23 association for physician assistants.

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

26 10. Discipline and rehabilitate physician assistants pursuant to this
27 chapter.

28 11. Certify physician assistants for ~~fourteen~~ THIRTY day prescription
29 privileges for schedule II or schedule III controlled substances if the
30 physician assistant:

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

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

36 B. The board may make and adopt rules necessary or proper for the
37 administration of this chapter.

38 C. The chairperson may establish subcommittees consisting of board
39 members and define their duties as the chairperson deems necessary to carry
40 out the functions of the board.

41 D. Board employees, including the executive director, temporary
42 personnel and professional medical investigators, are immune from civil
43 liability for good faith actions they take to enforce this chapter.

1 E. In performing its duties pursuant to subsection A of this section,
2 the board may receive and review staff reports on complaints, malpractice
3 cases and all investigations.

4 Sec. 2. Section 32-2532, Arizona Revised Statutes, is amended to read:
5 32-2532. Prescribing, administering and dispensing drugs;
6 limits and requirements; notice

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

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

13 2. A schedule IV or schedule V controlled substance as defined in the
14 federal controlled substances act of 1970 without drug enforcement
15 administration registration and delegation by the supervising physician.

16 3. Prescription-only medication without delegation by the supervising
17 physician.

18 4. PRESCRIPTION MEDICATION INTENDED TO PERFORM OR INDUCE AN ABORTION.

19 B. All prescription orders issued by a physician assistant shall
20 contain the name, address and telephone number of the supervising
21 physician. A physician assistant shall issue prescription orders for
22 controlled substances under the physician assistant's own drug enforcement
23 administration registration number.

24 C. Unless certified for ~~fourteen~~ THIRTY day prescription privileges
25 pursuant to section 32-2504, subsection A, a physician assistant shall not
26 prescribe a schedule II or schedule III controlled substance for a period
27 exceeding seventy-two hours. For each schedule IV or schedule V controlled
28 substance, a physician assistant may not prescribe the controlled substance
29 more than five times in a six month period for each patient.

30 D. A prescription for a schedule II or III controlled substance is not
31 refillable without the written consent of the supervising physician.

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

34 F. Except in an emergency, a physician assistant may dispense schedule
35 II or schedule III controlled substances for a period of use of not to exceed
36 seventy-two hours with board approval or any other controlled substance for a
37 period of use of not to exceed thirty-four days and may administer controlled
38 substances without board approval if it is medically indicated in an
39 emergency dealing with potential loss of life or limb or major acute
40 traumatic pain.

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

1 1. Prepackaged in a unit-of-use package by the supervising physician
2 or a pharmacist acting on a written order of the supervising physician.

3 2. Labeled to show the name of the supervising physician and physician
4 assistant.

5 H. A physician assistant shall not obtain a drug from any source other
6 than the supervising physician or a pharmacist acting on a written order of
7 the supervising physician. A physician assistant may receive manufacturers'
8 samples if allowed to do so by the supervising physician.

9 I. If a physician assistant is approved by the board to prescribe,
10 administer or dispense schedule II and schedule III controlled substances,
11 the physician assistant shall maintain an up-to-date and complete log of all
12 schedule II and schedule III controlled substances he administers or
13 dispenses.

14 J. The board shall advise the state board of pharmacy and the United
15 States drug enforcement administration of all physician assistants who are
16 authorized to prescribe or dispense drugs and any modification of their
17 authority.

18 K. The state board of pharmacy shall notify all pharmacies at least
19 quarterly of physician assistants who are authorized to prescribe or dispense
20 drugs.

21 Sec. 3. Section 32-2533, Arizona Revised Statutes, is amended to read:
22 32-2533. Supervising physician; responsibilities

23 A. A supervising physician is responsible for all aspects of the
24 performance of a physician assistant, whether or not the supervising
25 physician actually pays the physician assistant a salary. The supervising
26 physician is responsible for supervising the physician assistant and ensuring
27 that the health care tasks performed by a physician assistant are within the
28 physician assistant's scope of training and experience and have been properly
29 delegated by the supervising physician.

30 B. Each physician-physician assistant team must ensure that:

31 1. The physician assistant's scope of practice is identified.

32 2. The delegation of medical tasks is appropriate to the physician
33 assistant's level of competence.

34 3. The relationship of, and access to, the supervising physician is
35 defined.

36 4. A process for evaluation of the physician assistant's performance
37 is established.

38 C. A supervising physician shall not supervise more than four
39 physician assistants who work at the same time.

40 D. A supervising physician shall develop a system for recordation and
41 review of all instances in which the physician assistant prescribes ~~fourteen~~
42 ~~day~~ ~~prescriptions~~ of schedule II or schedule III controlled substances.

1 Sec. 4. Physician assistants; prescribing authority

2 The Arizona regulatory board of physician assistants shall consider all
3 records of delegation of fourteen day prescription privileges for schedule II
4 or schedule III controlled substances by a supervising physician that are in
5 effect before the effective date of this act to reflect the change to the
6 thirty day delegation pursuant to this act, unless the supervising physician
7 withdraws the delegation.

APPROVED BY THE GOVERNOR APRIL 19, 2011.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 19, 2011.

Passed the House April 13, 2011,

Passed the Senate March 1, 2011,

by the following vote: 40 Ayes,

by the following vote: 20 Ayes,

16 Nays, 4 Not Voting

9 Nays, 1 Not Voting

[Signature]
Speaker of the House

[Signature]
President of the Senate

Cheryl Laube
Chief Clerk of the House

Charmine Bellington
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

14 day of April, 2011,

at 4:40 o'clock P. M.

[Signature]
Secretary to the Governor

Approved this 19th day of

April, 2011,

at 9:07 o'clock A. M.

[Signature]
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 19th day of April, 2011,

at 11:12 o'clock [Signature] M.

[Signature]
Secretary of State

S.B. 1030