

By Senator Truenow

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A bill to be entitled

An act relating to physician assistants; amending ss. 458.347 and 459.022, F.S.; revising legislative intent; revising the definition of the term "physician assistant"; providing for the registration of physician assistants to engage in practice without physician supervision; requiring the Council on Physician Assistants to register physician assistants meeting specified criteria; providing financial responsibility requirements for registered physician assistants; providing exceptions; specifying activities registered physician assistants may engage in without physician supervision; limiting the types of surgical procedures registered physician assistants may perform; requiring the council, in consultation with the Board of Medicine and the Board of Osteopathic Medicine, to adopt rules establishing standards of practice for registered physician assistants; requiring biennial registration renewal; requiring the department to distinguish registered physician assistants' licenses and include the registration in their practitioner profiles; requiring registered physician assistants to provide new patients with specified information either before or during the initial patient encounter; requiring the council to adopt rules; providing construction; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

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Section 1. Present subsections (7) through (16) of section 458.347, Florida Statutes, are redesignated as subsections (8) through (17), respectively, a new subsection (7) is added to that section, and subsection (1) and paragraph (e) of subsection (2) of that section are amended, to read:

458.347 Physician assistants.—

(1) LEGISLATIVE INTENT.—The purpose of this section is to provide means by which physician assistants may practice medicine in collaboration with physicians and other health care practitioners to ensure high-quality medical care is available at a reasonable cost to consumers. ~~authorize~~ Physician assistants, with their education, training, and experience in the field of medicine, are well suited to provide these ~~to provide increased efficiency of and access to high-quality medical services at a reasonable cost to consumers.~~

(2) DEFINITIONS.—As used in this section, the term:

(e) "Physician assistant" means a person who is a graduate of an approved program ~~or its equivalent~~ or meets standards approved by the council boards and is licensed to perform medical services ~~delegated by the supervising physician.~~

(7) PRACTICING WITHOUT PHYSICIAN SUPERVISION.—

(a) Registration.—To practice without physician supervision, a physician assistant must register with the council on a form prescribed by the council. The council must register a physician assistant to practice without physician supervision if the applicant demonstrates to the satisfaction of the council that he or she meets all of the following criteria:

1. Holds an active, unencumbered license to practice as a

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59 physician assistant under this chapter. A physician assistant
60 practicing under a temporary license, a temporary certificate
61 for practice in areas of critical need, or any other type of
62 conditional license is not eligible for registration under this
63 subsection.

64 2. Has not been subject to disciplinary action as specified
65 in s. 456.072 or s. 458.331 or any similar disciplinary action
66 in another state or other territory or jurisdiction within the 5
67 years immediately preceding the registration application.

68 3. Has completed, in any state, jurisdiction, or territory
69 of the United States, at least 3,000 clinical practice hours,
70 which may include clinical instructional hours provided by the
71 applicant, within the 5 years immediately preceding the
72 registration application. For purposes of this paragraph, the
73 term "clinical instruction" means education provided by faculty
74 in a clinical setting in a graduate program leading to a
75 master's or doctoral degree in a clinical physician assistant
76 practice area.

77 4. Has fulfilled any other condition of registration
78 prescribed by council rule.

79 (b) *Financial responsibility.*—

80 1. A physician assistant registered under this subsection
81 must, by one of the following methods, demonstrate to the
82 satisfaction of the council and the department financial
83 responsibility to pay claims and costs ancillary thereto arising
84 out of the rendering of, or the failure to render, medical care,
85 treatment, or services:

86 a. Obtaining and maintaining professional liability
87 coverage in an amount not less than \$100,000 per claim, with a

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88 minimum annual aggregate of not less than \$300,000, from an
89 authorized insurer as defined in s. 624.09, from a surplus lines
90 insurer as defined in s. 626.914(2), from a risk retention group
91 as defined in s. 627.942, from the Joint Underwriting
92 Association established under s. 627.351(4), or through a plan
93 of self-insurance as provided in s. 627.357; or

94 b. Obtaining and maintaining an unexpired, irrevocable
95 letter of credit, established pursuant to chapter 675, in an
96 amount of not less than \$100,000 per claim, with a minimum
97 aggregate availability of credit of not less than \$300,000. The
98 letter of credit must be payable to the physician assistant as
99 beneficiary upon presentment of a final judgment indicating
100 liability and awarding damages to be paid by the physician
101 assistant or upon presentment of a settlement agreement signed
102 by all parties to such agreement when such final judgment or
103 settlement is a result of a claim arising out of the rendering
104 of, or the failure to render, medical care and services.

105 2. The requirements of subparagraph 1. do not apply to any
106 of the following:

107 a. A physician assistant registered under this subsection
108 who practices exclusively as an officer, employee, or agent of
109 the Federal Government or of the state or its agencies or its
110 subdivisions.

111 b. A physician assistant whose registration under this
112 subsection has become inactive and who is not practicing as a
113 physician assistant registered under this subsection in this
114 state.

115 c. A physician assistant registered under this subsection
116 who practices only in conjunction with his or her teaching

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117 duties at an accredited school or its main teaching hospitals.
118 Such practice is limited to that which is incidental to and a
119 necessary part of duties in connection with the teaching
120 position.

121 d. A physician assistant who holds an active registration
122 under this subsection and who is not engaged in practice without
123 physician supervision as authorized under this subsection in
124 this state. If such person initiates or resumes any practice as
125 a physician assistant without physician supervision, he or she
126 must notify the department of such activity and fulfill the
127 professional liability coverage requirements of subparagraph 1.

128 (c) Practice requirements.—

129 1. A physician assistant registered under this subsection
130 may engage in any of the following activities without physician
131 supervision:

132 a. Practice in primary care, family medicine, pediatrics,
133 internal medicine, women's health, and psychiatry as defined by
134 council rule.

135 b. Perform the general functions of a physician assistant.

136 c. For a patient who requires the services of a health care
137 facility as defined in s. 408.032(8):

138 (I) Admit the patient to the facility.

139 (II) Manage the care received by the patient in the
140 facility.

141 (III) Discharge the patient from the facility, unless
142 prohibited by federal law or rule.

143 d. Provide a signature, a certification, a stamp, a
144 verification, an affidavit, or an endorsement that is otherwise
145 required by law to be provided by a physician, except that a

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146 physician assistant registered under this subsection may not
147 issue a physician certification under s. 381.986.

148 2. A physician assistant engaging in practice under this
149 subsection may not perform any surgical procedure that goes
150 deeper than the subcutaneous tissue.

151 3. The council shall, in consultation with the boards,
152 adopt rules establishing standards of practice for physician
153 assistants registered under this subsection.

154 (d) Registration renewal.—A physician assistant must
155 biennially renew registration under this subsection. The
156 biennial renewal for registration must coincide with the
157 physician assistant's biennial renewal period for licensure.

158 (e) Practitioner profile.—The department must conspicuously
159 distinguish a physician assistant's license if he or she is
160 registered with the council under this subsection and include
161 the registration in the physician assistant practitioner profile
162 created under s. 456.041.

163 (f) Disclosures.—When engaging in practice under this
164 subsection, a physician assistant shall provide each new patient
165 information in writing detailing the physician assistant's
166 qualifications and the fact that he or she is practicing without
167 physician supervision. The information must be provided to the
168 patient either before or during the initial patient encounter.

169 (g) Rules.—The council shall adopt rules to implement this
170 subsection.

171 (h) Construction.—This subsection may not be construed to
172 limit a physician assistant from practicing under a supervisory
173 agreement with a physician.

174 Section 2. Present subsections (7) through (16) of section

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459.022, Florida Statutes, are redesignated as subsections (8) through (17), respectively, a new subsection (7) is added to that section, and subsection (1) and paragraph (e) of subsection (2) of that section are amended, to read:

459.022 Physician assistants.—

(1) LEGISLATIVE INTENT.—The purpose of this section is to provide means by which physician assistants may practice medicine in collaboration with physicians and other health care practitioners to ensure high-quality medical care is available at a reasonable cost to consumers. ~~authorize~~ Physician assistants, with their education, training, and experience in the field of medicine, are well suited to provide these ~~to provide increased efficiency of and access to high-quality medical services at a reasonable cost to consumers.~~

(2) DEFINITIONS.—As used in this section, the term:

(e) "Physician assistant" means a person who is a graduate of an approved program ~~or its equivalent~~ or meets standards approved by the council boards ~~boards~~ and is licensed to perform medical services ~~delegated by the supervising physician.~~

(7) PRACTICING WITHOUT PHYSICIAN SUPERVISION.—

(a) Registration.—To practice without physician supervision, a physician assistant must register with the council on a form prescribed by the council. The council must register a physician assistant to practice without physician supervision if the applicant demonstrates to the satisfaction of the council that he or she meets all of the following criteria:

1. Holds an active, unencumbered license to practice as a physician assistant under this chapter. A physician assistant practicing under a temporary license, a temporary certificate

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for practice in areas of critical need, or any other type of conditional license is not eligible for registration under this subsection.

2. Has not been subject to disciplinary action as specified in s. 456.072 or s. 459.015 or any similar disciplinary action in another state or other territory or jurisdiction within the 5 years immediately preceding the registration application.

3. Has completed, in any state, jurisdiction, or territory of the United States, at least 3,000 clinical practice hours, which may include clinical instructional hours provided by the applicant, within the 5 years immediately preceding the registration application. For purposes of this paragraph, the term "clinical instruction" means education provided by faculty in a clinical setting in a graduate program leading to a master's or doctoral degree in a clinical physician assistant practice area.

4. Has fulfilled any other condition of registration prescribed by council rule.

(b) Financial responsibility.—

1. A physician assistant registered under this subsection must, by one of the following methods, demonstrate to the satisfaction of the council and the department financial responsibility to pay claims and costs ancillary thereto arising out of the rendering of, or the failure to render, medical care, treatment, or services:

a. Obtaining and maintaining professional liability coverage in an amount not less than \$100,000 per claim, with a minimum annual aggregate of not less than \$300,000, from an authorized insurer as defined in s. 624.09, from a surplus lines

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insurer as defined in s. 626.914(2), from a risk retention group as defined in s. 627.942, from the Joint Underwriting Association established under s. 627.351(4), or through a plan of self-insurance as provided in s. 627.357; or

b. Obtaining and maintaining an unexpired, irrevocable letter of credit, established pursuant to chapter 675, in an amount of not less than \$100,000 per claim, with a minimum aggregate availability of credit of not less than \$300,000. The letter of credit must be payable to the physician assistant as beneficiary upon presentment of a final judgment indicating liability and awarding damages to be paid by the physician assistant or upon presentment of a settlement agreement signed by all parties to such agreement when such final judgment or settlement is a result of a claim arising out of the rendering of, or the failure to render, medical care and services.

2. The requirements of subparagraph 1. do not apply to any of the following:

a. A physician assistant registered under this subsection who practices exclusively as an officer, employee, or agent of the Federal Government or of the state or its agencies or its subdivisions.

b. A physician assistant whose registration under this subsection has become inactive and who is not practicing as a physician assistant registered under this subsection in this state.

c. A physician assistant registered under this subsection who practices only in conjunction with his or her teaching duties at an accredited school or its main teaching hospitals. Such practice is limited to that which is incidental to and a

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necessary part of duties in connection with the teaching position.

d. A physician assistant who holds an active registration under this subsection and who is not engaged in practice without physician supervision as authorized under this subsection in this state. If such person initiates or resumes any practice as a physician assistant without physician supervision, he or she must notify the department of such activity and fulfill the professional liability coverage requirements of subparagraph 1.

(c) Practice requirements.—

1. A physician assistant registered under this subsection may engage in any of the following activities without physician supervision:

a. Practice in primary care, family medicine, pediatrics, internal medicine, women's health, and psychiatry as defined by council rule.

b. Perform the general functions of a physician assistant.

c. For a patient who requires the services of a health care facility as defined in s. 408.032(8):

(I) Admit the patient to the facility.

(II) Manage the care received by the patient in the facility.

(III) Discharge the patient from the facility, unless prohibited by federal law or rule.

d. Provide a signature, a certification, a stamp, a verification, an affidavit, or an endorsement that is otherwise required by law to be provided by a physician, except that a physician assistant registered under this subsection may not issue a physician certification under s. 381.986.

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291 2. A physician assistant engaging in practice under this
292 subsection may not perform any surgical procedure that goes
293 deeper than the subcutaneous tissue.

294 3. The council shall, in consultation with the boards,
295 adopt rules establishing standards of practice for physician
296 assistants registered under this subsection.

297 (d) Registration renewal.—A physician assistant must
298 biennially renew registration under this subsection. The
299 biennial renewal for registration must coincide with the
300 physician assistant's biennial renewal period for licensure.

301 (e) Practitioner profile.—The department must conspicuously
302 distinguish a physician assistant's license if he or she is
303 registered with the council under this subsection and include
304 the registration in the physician assistant practitioner profile
305 created under s. 456.041.

306 (f) Disclosures.—When engaging in practice under this
307 subsection, a physician assistant shall provide each new patient
308 information in writing detailing the physician assistant's
309 qualifications and the fact that he or she is practicing without
310 physician supervision. The information must be provided to the
311 patient either before or during the initial patient encounter.

312 (g) Rules.—The council shall adopt rules to implement this
313 subsection.

314 (h) Construction.—This subsection may not be construed to
315 limit a physician assistant from practicing under a supervisory
316 agreement with a physician.

317 Section 3. This act shall take effect July 1, 2026.