

1 STATE OF OKLAHOMA

2 2nd Session of the 58th Legislature (2022)

3 SENATE BILL 1517

By: Weaver

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5  
6 AS INTRODUCED

7 An Act relating to physician assistants; amending 59  
8 O.S. 2021, Section 519.6, which relates to services  
9 performed; modifying prescriptive authority of  
10 physician assistants; amending 63 O.S. 2021, Section  
11 2-312, which relates to controlled dangerous  
12 substances; modifying references; and providing an  
13 effective date.

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

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

17 Section 519.6. A. No health care services may be performed by  
18 a physician assistant unless a current license is on file with and  
19 approved by the State Board of Medical Licensure and Supervision.  
20 All practice agreements and any amendments shall be filed with the  
21 State Board of Medical Licensure and Supervision within ten (10)  
22 business days of being executed. Practice agreements may be filed  
23 electronically. The State Board of Medical Licensure and  
24 Supervision shall not charge a fee for filing or amendments of  
25 practice agreements.

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

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

- 13 a. being responsible for the formulation or approval of  
14 all orders and protocols, whether standing orders,  
15 direct orders or any other orders or protocols, which  
16 direct the delivery of health care services provided  
17 by a physician assistant, and periodically reviewing  
18 such orders and protocols,
- 19 b. regularly reviewing the health care services provided  
20 by the physician assistant and any problems or  
21 complications encountered,
- 22 c. being available physically or through telemedicine or  
23 direct telecommunications for consultation, assistance  
24 with medical emergencies or patient referral,

1 d. reviewing a sample of outpatient medical records.

2 Such reviews shall take place at a site agreed upon  
3 between the delegating physician and physician  
4 assistant in the practice agreement which may also  
5 occur using electronic or virtual conferencing, and

6 e. that it remains clear that the physician assistant is  
7 an agent of the delegating physician; but, in no event  
8 shall the delegating physician be an employee of the  
9 physician assistant.

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

18 E. 1. A physician assistant under the direction of a  
19 delegating physician may prescribe written and oral prescriptions  
20 and orders. The physician assistant may prescribe drugs, including  
21 controlled medications in Schedules II through V pursuant to Section  
22 2-312 of Title 63 of the Oklahoma Statutes, and medical supplies and  
23 services as delegated by the delegating physician and as approved by  
24 the State Board of Medical Licensure and Supervision after

1 consultation with the State Board of Pharmacy on the Physician  
2 Assistant Drug Formulary; provided, however, the physician assistant  
3 shall not prescribe or write orders for Schedule II opioid drugs  
4 except as provided by paragraph 2 of this subsection.

5 2. A physician assistant may write an order for a Schedule II  
6 drug for immediate or ongoing administration on site; provided, that  
7 if the Schedule II drug is an opioid drug, the physician assistant  
8 may only write an order for immediate or ongoing administration in  
9 an inpatient hospital setting. Prescriptions and orders for  
10 Schedule II drugs written by a physician assistant must be included  
11 on a written protocol determined by the delegating physician and  
12 approved by the medical staff committee of the facility or by direct  
13 verbal order of the delegating physician. Physician assistants may  
14 not dispense drugs, but may request, receive, and sign for  
15 professional samples and may distribute professional samples to  
16 patients.

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

19 G. Each physician assistant licensed under the Physician  
20 Assistant Act shall keep his or her license available for inspection  
21 at the primary place of business and shall, when engaged in  
22 professional activities, identify himself or herself as a physician  
23 assistant.

1 H. A physician assistant shall be bound by the provisions  
2 contained in Sections 725.1 through 725.5 of Title 59 of the  
3 Oklahoma Statutes.

4 SECTION 2. AMENDATORY 63 O.S. 2021, Section 2-312, is  
5 amended to read as follows:

6 Section 2-312. A. A physician, podiatrist, optometrist or a  
7 dentist who has complied with the registration requirements of the  
8 Uniform Controlled Dangerous Substances Act, in good faith and in  
9 the course of such person's professional practice only, may  
10 prescribe and administer controlled dangerous substances, or may  
11 cause the same to be administered by medical or paramedical  
12 personnel acting under the direction and supervision of the  
13 physician, podiatrist, optometrist or dentist, and only may dispense  
14 controlled dangerous substances pursuant to the provisions of  
15 Sections ~~355~~, 355.1 and 355.2 of Title 59 of the Oklahoma Statutes.

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

23 C. An advanced practice nurse who is recognized to prescribe by  
24 the Oklahoma Board of Nursing as an advanced registered nurse

1 practitioner, clinical nurse specialist or certified nurse-midwife,  
2 who is subject to medical direction by a supervising physician,  
3 pursuant to Section 567.3a of Title 59 of the Oklahoma Statutes, and  
4 who has complied with the registration requirements of the Uniform  
5 Controlled Dangerous Substances Act, in good faith and in the course  
6 of professional practice only, may prescribe and administer Schedule  
7 III, IV and V controlled dangerous substances.

8 D. An advanced practice nurse who is recognized to order,  
9 select, obtain and administer drugs by the Oklahoma Board of Nursing  
10 as a certified registered nurse anesthetist pursuant to Section  
11 353.1b of Title 59 of the Oklahoma Statutes and who has complied  
12 with the registration requirements of the Uniform Controlled  
13 Dangerous Substances Act, in good faith and in the course of such  
14 practitioner's professional practice only, may order, select, obtain  
15 and administer Schedules II through V controlled dangerous  
16 substances in a preanesthetic preparation or evaluation; anesthesia  
17 induction, maintenance or emergence; or postanesthesia care setting  
18 only. A certified registered nurse anesthetist may order, select,  
19 obtain and administer such drugs only during the perioperative or  
20 periobstetrical period.

21 E. A physician assistant who is recognized to prescribe by the  
22 State Board of Medical Licensure and Supervision under the medical  
23 direction of a supervising physician, pursuant to ~~subsection D of~~  
24 Section 519.6 of Title 59 of the Oklahoma Statutes, and who has

1 complied with the registration requirements of the Uniform  
2 Controlled Dangerous Substances Act, in good faith and in the course  
3 of professional practice only, may prescribe and administer Schedule  
4 II through V controlled dangerous substances.

5 SECTION 3. This act shall become effective November 1, 2022.

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