

JAN 17 1991

SENATE FILE 42
BY RIORDAN

Passed Senate, Date 2/13/91 (p. 1358) Passed House, Date 4/18/91 (p. 1359)

Vote: Ayes 40 Nays 7 Vote: Ayes 92 Nays 4

Approved June 5, 1991

Adm. Code Section 855.7 added 4/19

A BILL FOR

1 An Act relating to the authority of physician assistants to
2 prescribe and supply prescription drugs and controlled
3 substances.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SF 42

1 Section 1. Section 147.107, subsection 3, Code 1991, is
2 amended to read as follows:

3 ~~3. A physician's assistant or registered nurse may supply~~
4 when pharmacist services are not reasonably available or when
5 it is in the best interests of the patient, on the direct
6 order of ~~the supervising physician~~ an authorized prescriber, a
7 quantity of properly packaged and labeled prescription drugs,
8 controlled substances, or contraceptive devices necessary to
9 complete a course of therapy. However, a remote clinic,
10 staffed by a ~~physician's assistant or~~ registered nurse, where
11 pharmacy services are not reasonably available, shall secure
12 the regular advice and consultation of a pharmacist regarding
13 the distribution, storage, and appropriate use of such drugs,
14 substances, and devices.

15 Sec. 2. Section 147.107, Code 1991, is amended by adding
16 the following new subsections:

17 NEW SUBSECTION. 3A. A physician assistant may supply,
18 when pharmacist services are not reasonably available, or when
19 it is in the best interests of the patient, a quantity of
20 properly packaged and labeled prescription drugs, controlled
21 substances, or medical devices necessary to complete a course
22 of therapy. However, a remote clinic, staffed by a physician
23 assistant, where pharmacy services are not reasonably
24 available, shall secure the regular advice and consultation of
25 a pharmacist regarding the distribution, storage, and
26 appropriate use of such drugs, substances, and devices.

27 NEW SUBSECTION. 3B. Notwithstanding subsection 3A, a
28 physician may delegate the function of prescribing drugs,
29 controlled substances, and medical devices to a physician
30 assistant licensed pursuant to chapter 148C. When delegated
31 prescribing occurs, the supervising physician's name shall be
32 used, recorded, or otherwise indicated in connection with each
33 individual prescription so that the individual who dispenses
34 or administers the prescription knows under whose delegated
35 authority the physician assistant is prescribing. Rules

1 relating to the authority of physician assistants to prescribe
2 drugs, controlled substances, and medical devices pursuant to
3 this subsection shall be adopted by the board of physician
4 assistant examiners, as soon as possible after July 1, 1991.
5 If rules are not adopted by December 31, 1991, a physician
6 assistant may prescribe drugs as a delegated act of a
7 supervising physician until modified by rule. The board of
8 physician assistant examiners shall be the only board to
9 regulate the practice of physician assistants relating to
10 prescribing and supplying prescription drugs, controlled
11 substances and medical devices, notwithstanding section
12 148C.6A.

13 NEW SUBSECTION. 3C. The physician assistant is an agent
14 of a supervising physician. Health care providers shall
15 consider the instructions of the physician assistant to be
16 instructions of the supervising physician if the instructions
17 concern duties delegated to the physician assistant by a
18 supervising physician.

2018 19 Sec. 3. LIMITATION OF POWERS.

20 This Act shall not be construed to limit the powers
21 currently delegated or authorized by statute or departmental
22 rules to physician assistants.

2018 Base

23 EXPLANATION

24 This bill allows a physician assistant to supply
25 prescription drugs, controlled substances, or medical devices
26 necessary to complete a course of therapy when pharmacist
27 services are not reasonably available or when it is in the
28 best interests of the patient.

29 The bill allows a physician to delegate the function of
30 prescribing drugs, controlled substances, or medical devices
31 to a physician assistant. However, the delegating physician's
32 name must be indicated in some way so as to notify the person
33 dispensing or administering the prescription under whose
34 delegated authority the physician assistant is prescribing.
35 Only the board of physician assistant examiners is given the

1 authority to regulate the prescribing and supplying functions
2 of physician assistants.

3 The bill also provides that the physician assistant is an
4 agent of the supervising physician and that instructions which
5 a physician assistant gives are those delegated by the
6 supervising physician.

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SENATE FILE 42

S-3049

1 Amend Senate File 42 as follows:
2 1. Page 2, line 22, by inserting after the word
3 "assistants" the following: "or to limit the
4 authority of the board of medical examiners over a
5 supervising physician".

By RICHARD J. VARN

S-3049 FILED FEBRUARY 18, 1991
WITHDRAWN (p. 347)

SENATE FILE 42

S-3050

1 Amend Senate File 42 as follows:
2 1. Page 2, line 22, by inserting after the word
3 "assistants." the following: "This Act shall also not
4 be construed to limit the current authority of the
5 board of medical examiners over a supervising
6 physician."

By RICHARD J. VARN

S-3050 FILED FEBRUARY 18, 1991
ADOPTED (p. 347)

S-3048

1 Amend Senate File 42 as follows:
 2 1. Page 1, line 3, by striking the words
 3 "~~physician's assistant or~~" and inserting the
 4 following: "physician's physician assistant or".
 5 2. Page 1, line 6, by striking the words "~~the~~
 6 ~~supervising physician an authorized prescriber~~" and
 7 inserting the following: "the supervising physician
 8 when required".
 9 3. Page 1, line 10, by striking the words
 10 "~~physician's assistant or~~" and inserting the words
 11 "physician's physician assistant or".
 12 4. By striking page 1, line 15, through page 2,
 13 line 12, and inserting the following:
 14 "Sec. 2. NEW SECTION. 147.108 DELEGATION OF
 15 PRESCRIBING PRIVILEGE.
 16 1. As used in this section, unless the context
 17 otherwise requires:
 18 a. "Physician assistant" means a physician
 19 assistant licensed pursuant to chapter 148C.
 20 b. "Physician" means a person licensed to practice
 21 medicine and surgery pursuant to chapter 148, a person
 22 licensed to practice osteopathy pursuant to chapter
 23 150, or a person licensed to practice osteopathic
 24 medicine and surgery pursuant to chapter 150A.
 25 2. Notwithstanding section 147.107, a physician
 26 may delegate the function of prescribing noncontrolled
 27 drugs and medical devices to a physician assistant
 28 pursuant to protocols and guidelines established by
 29 rule of the board of medical examiners after
 30 consultation with the board of physician assistant
 31 examiners and the board of pharmacy examiners. The
 32 rules adopted under this subsection shall address the
 33 types of substances which may be prescribed, the level
 34 of supervision of a physician assistant required, the
 35 education, training, and experience required of a
 36 physician assistant; the nature of the practice; and
 37 the documentation required for prescriptions written
 38 pursuant to protocol. Complementary rules to the
 39 rules adopted by the board of medical examiners under
 40 this subsection shall be adopted and administered by
 41 the board of physician assistant examiners which shall
 42 have sole jurisdiction over physician assistant
 43 compliance and disciplinary action with respect to the
 44 rules. Notice of rulemaking shall be published in the
 45 administrative bulletin no later than January 10,
 46 1992. Rules adopted under this subsection shall not
 47 be construed to limit or restrict the privileges of
 48 physician assistants which exist on January 1, 1991."
 49 5. Page 2, line 13, by striking the figure "3C"
 50 and inserting the following: "3".

Page 2

1 6. Page 2, by striking lines 19 through 22.
 By MICHAEL E. GRONSTAL
 MARK R. HAGERLA

SENATE FILE 42
BY RIORDAN

(AS AMENDED AND PASSED BY THE SENATE FEBRUARY 18, 1991)

 - New Language by the Senate

Passed Senate, Date Jan 18, 1991 Passed House, Date 4/18/91 (p. 135?)
Vote: Ayes _____ Nays _____ Vote: Ayes 92 Nays 4
Approved June 5, 1991

A BILL FOR

1 An Act relating to the authority of physician assistants to
2 prescribe and supply prescription drugs and controlled
3 4733 substances.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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6 Conference Committee Appointed
7 Rep. Blawie (Chair), Carpenter, Kuebel, Osterberg, Lofgren
8 Senators Riordan (Chair), Murphy, Hannon, Jensen, Kramer 4/30 (p. 1932)
9 5/1/91

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11 Passed per Conference Committee Report 5/8/91
12 Senate (p. 1722) Hannon (p. 2179)
13 49-0 98-0

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1 Section 1. Section 147.107, subsection 3, Code 1991, is
2 amended to read as follows:

3 3. ~~A physician's assistant or~~ registered nurse may supply
4 when pharmacist services are not reasonably available or when
5 it is in the best interests of the patient, on the direct
6 order of ~~the supervising physician~~ an authorized prescriber, a
7 quantity of properly packaged and labeled prescription drugs,
8 controlled substances, or contraceptive devices necessary to
9 complete a course of therapy. However, a remote clinic,
10 staffed by a ~~physician's assistant or~~ registered nurse, where
11 pharmacy services are not reasonably available, shall secure
12 the regular advice and consultation of a pharmacist regarding
13 the distribution, storage, and appropriate use of such drugs,
14 substances, and devices.

15 Sec. 2. Section 147.107, Code 1991, is amended by adding
16 the following new subsections:

17 NEW SUBSECTION. 3A. A physician assistant may supply,
18 when pharmacist services are not reasonably available, or when
19 it is in the best interests of the patient, a quantity of
20 properly packaged and labeled prescription drugs, controlled
21 substances, or medical devices necessary to complete a course
22 of therapy. However, a remote clinic, staffed by a physician
23 assistant, where pharmacy services are not reasonably
24 available, shall secure the regular advice and consultation of
25 a pharmacist regarding the distribution, storage, and
26 appropriate use of such drugs, substances, and devices.

27 NEW SUBSECTION. 3B. Notwithstanding subsection 1, a
28 physician may delegate the function of prescribing drugs,
29 controlled substances, and medical devices to a physician
30 assistant licensed pursuant to chapter 148C. When delegated
31 prescribing occurs, the supervising physician's name shall be
32 used, recorded, or otherwise indicated in connection with each
33 individual prescription so that the individual who dispenses
34 or administers the prescription knows under whose delegated
35 authority the physician assistant is prescribing. Rules

1 relating to the authority of physician assistants to prescribe
2 drugs, controlled substances, and medical devices pursuant to
3 this subsection shall be adopted by the board of physician
34967 4 assistant examiners, as soon as possible after July 1, 1991.
5 If rules are not adopted by December 31, 1991, a physician
6 assistant may prescribe drugs as a delegated act of a
7 supervising physician until modified by rule. The board of
8 physician assistant examiners shall be the only board to
9 regulate the practice of physician assistants relating to
10 prescribing and supplying prescription drugs, controlled
11 substances and medical devices, notwithstanding section
12 148C.6A.

13 NEW SUBSECTION. 3C. The physician assistant is an agent
14 of a supervising physician. Health care providers shall
15 consider the instructions of the physician assistant to be
16 instructions of the supervising physician if the instructions
17 concern duties delegated to the physician assistant by a
18 supervising physician.

19 Sec. 3. LIMITATION OF POWERS.

20 This Act shall not be construed to limit the powers
21 currently delegated or authorized by statute or departmental
22 rules to physician assistants. This Act shall also not be
23 construed to limit the current authority of the board of
24 medical examiners over a supervising physician.

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SENATE FILE 42

S-3473

- 1 Amend Senate File 42, as amended, passed, and
2 reprinted by the Senate, as follows:
- 3 1. Page 1, line 6, by striking the words "the
4 ~~supervising-physician~~ an authorized prescriber" and
5 inserting the following: "the supervising physician".
- 6 2. Page 1, line 16, by striking the word
7 "subsections" and inserting the following:
8 "subsection".
- 9 3. Page 1, lines 18 and 19, by striking the words
10 "or when it is in the best interests of the patient,".
- 11 4. By striking page 1, line 27, through page 2,
12 line 18, and inserting the following:
13 "Sec. 2. NEW SECTION. 147.108 DELEGATION OF
14 PRESCRIBING PRIVILEGE.
- 15 1. As used in this section, unless the context
16 otherwise requires:
- 17 a. "Physician assistant" means a physician
18 assistant licensed pursuant to chapter 148C.
- 19 b. "Physician" means a person licensed to practice
20 medicine and surgery pursuant to chapter 148, a person
21 licensed to practice osteopathy pursuant to chapter
22 150, or a person licensed to practice osteopathic
23 medicine and surgery pursuant to chapter 150A.
- 24 2. Notwithstanding section 147.107, a physician
25 may delegate the function of prescribing drugs and
26 medical devices to a physician assistant pursuant to
27 protocols and guidelines established by rule of the
28 board of medical examiners after consultation with the
29 board of physician assistant examiners and the board
30 of pharmacy examiners. The rules adopted under this
31 subsection shall address the types of substances which
32 may be prescribed, the level of supervision of a
33 physician assistant required, the education, training,
34 and experience required of a physician assistant; the
35 nature of the practice; and the documentation required
36 for prescriptions written pursuant to protocol.
37 Complementary rules to the rules adopted by the board
38 of medical examiners under this subsection shall be
39 adopted and administered by the board of physician
40 assistant examiners which shall have sole jurisdiction
41 over physician assistant compliance and disciplinary
42 action with respect to the rules. The rules shall be
43 adopted by the board of medical examiners in final
44 form no later than January 10, 1992. Rules adopted
45 under this subsection shall not be construed to limit
46 or restrict the privileges of physician assistants
47 which exist on January 1, 1991.
- 48 3. Health care providers shall consider the
49 instructions of a physician assistant to be instruc-
50 tions of the supervising physician if the instructions

H-3473

Page 2

1 concern duties delegated to the physician assistant by
2 a supervising physician. If instructions exceed the
3 scope of authority delegated by a supervising
4 physician, the physician assistant shall defend,
5 indemnify, and hold harmless any health care provider
6 relying upon the physician assistant's apparent
7 authority."

8 5. Page 2, by inserting after line 24 the fol-
9 lowing:

10 "Sec. ____ . EFFECTIVE DATE. This Act, being deemed
11 of immediate importance, takes effect upon enactment."

12 6. Title page, line 3, by inserting after the
13 word "substances" the following: ", and providing an
14 effective date".

15 7. By renumbering as necessary.

By COMMITTEE ON STATE GOVERNMENT
BLANSHAN of Greene, Chairperson

H-3473 FILED APRIL 3, 1991

Adopted 4/18/91 (S. 1358)

SENATE FILE 42

H-3696

1 Amend Senate File 42, as amended, passed, and re-
2 printed by the Senate, as follows:

3 1. Page 2, line 4, by inserting after the figure
4 "1991." the following: "The rules shall prohibit the
5 prescribing of schedule II controlled substances which
6 are stimulants or depressants and schedule III
7 controlled substances which are anabolic steroids as
8 defined in chapter 204."

By OSTERBERG of Linn
KREBSBACH of Mitchell
BARTZ of Worth

MURPHY of Dubuque
HIBBARD of Madison

H-3696 FILED APRIL 17, 1991

Adopted 4/18/91 (S. 1358)

HOUSE AMENDMENT TO
SENATE FILE 42

S-3495

1 Amend Senate File 42, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 1, line 6, by striking the words "the
4 ~~supervising-physician~~ an authorized prescriber" and
5 inserting the following: "the supervising physician".

6 2. Page 1, line 16, by striking the word
7 "subsections" and inserting the following:
8 "subsection".

9 3. Page 1, lines 18 and 19, by striking the words
10 "or when it is in the best interests of the patient,".

11 4. By striking page 1, line 27, through page 2,
12 line 18, and inserting the following:

13 "Sec. 2. NEW SECTION. 147.108 DELEGATION OF
14 PRESCRIBING PRIVILEGE.

15 1. As used in this section, unless the context
16 otherwise requires:

17 a. "Physician assistant" means a physician
18 assistant licensed pursuant to chapter 148C.

19 b. "Physician" means a person licensed to practice
20 medicine and surgery pursuant to chapter 148, a person
21 licensed to practice osteopathy pursuant to chapter
22 150, or a person licensed to practice osteopathic
23 medicine and surgery pursuant to chapter 150A.

24 2. Notwithstanding section 147.107, a physician
25 may delegate the function of prescribing drugs and
26 medical devices to a physician assistant pursuant to
27 protocols and guidelines established by rule of the
28 board of medical examiners after consultation with the
29 board of physician assistant examiners and the board
30 of pharmacy examiners. The rules adopted under this
31 subsection shall address the types of substances which
32 may be prescribed, the level of supervision of a
33 physician assistant required, the education, training,
34 and experience required of a physician assistant; the
35 nature of the practice; and the documentation required
36 for prescriptions written pursuant to protocol.

37 Complementary rules to the rules adopted by the board
38 of medical examiners under this subsection shall be
39 adopted and administered by the board of physician
40 assistant examiners which shall have sole jurisdiction
41 over physician assistant compliance and disciplinary
42 action with respect to the rules. The rules shall be
43 adopted by the board of medical examiners in final
44 form no later than January 10, 1992. Rules adopted
45 under this subsection shall not be construed to limit
46 or restrict the privileges of physician assistants
47 which exist on January 1, 1991.

48 3. Health care providers shall consider the
49 instructions of a physician assistant to be instructions
50 of the supervising physician if the instructions

S-3495

Page 2

1 concern duties delegated to the physician assistant by
2 a supervising physician. If instructions exceed the
3 scope of authority delegated by a supervising
4 physician, the physician assistant shall defend,
5 indemnify, and hold harmless any health care provider
6 relying upon the physician assistant's apparent
7 authority."

8 5. Page 2, by inserting after line 24 the fol-
9 lowing:

10 "Sec. ____ . EFFECTIVE DATE. This Act, being deemed
11 of immediate importance, takes effect upon enactment."

12 6. Title page, line 3, by inserting after the
13 word "substances" the following: ", and providing an
14 effective date".

15 7. By renumbering as necessary.

RECEIVED FROM THE HOUSE

S-3495 FILED APRIL 18, 1991

Senate referred to committee 4/22/91 (p. 1402)
House insisted 4/30/91 (p. 1932)

REPORT OF THE CONFERENCE COMMITTEE
ON SENATE FILE 42

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to resolve the differences between the Senate and the House of Representatives on Senate File 42, a bill for an Act relating to the authority of physician assistants to prescribe and supply prescription drugs and controlled substances, respectfully make the following report:

1. That the House recedes from its amendment, S-3495.
2. That Senate File 42, as amended, passed, and reprinted by the Senate, is amended as follows:
 1. Page 1, by striking lines 1 through 14.

2. Page 1, by striking line 17 and inserting the following:

"NEW SUBSECTION. 3A. Notwithstanding subsection 3, a physician assistant shall not dispense prescription drugs as an incident to the practice of the supervising physician or the physician assistant, but may supply,".

3. Page 1, line 26, by inserting after the word "devices." the following: "Prescription drugs supplied under the provisions of this subsection shall be supplied for the purpose of accommodating the patient and shall not be sold for more than the cost of the drug and reasonable overhead costs, as they relate to supplying prescription drugs to the patient, and not at a profit to the physician or the physician assistant. If prescription drug supplying authority is delegated by a supervising physician to a physician assistant, a nurse or staff assistant may assist the physician assistant in providing that service. Rules shall be adopted by the board of physician assistant examiners, after consultation with the board of pharmacy examiners, to implement this subsection."

4. Page 1, line 27, by inserting after the word and figure "subsection 1" the following: "and any other provision of this section to the contrary".

5. Page 2, line 4, by inserting after the word "examiners," the following: "after consultation with the board of medical examiners and the board of pharmacy examiners,".

6. Page 2, line 4, by inserting after the figure "1991." the following: "The rules shall be reviewed and approved by the physician assistant rules review group created under subsection 3D and shall be adopted in final form by January 1, 1993. However, the rules shall prohibit the prescribing of Schedule II controlled substances which are listed as stimulants or depressants pursuant to chapter 204."

7. Page 2, by striking lines 5 through 7, and inserting the following: "If rules are not reviewed and approved by the physician assistant rules review group created under subsection 3D and adopted in final form by January 1, 1993, a physician assistant may prescribe drugs as a delegated act of a supervising physician under rules adopted by the physician assistant board of examiners and subject to the rules review process established in section 148C.7. The board of".

8. Page 2, by striking lines 13 and 14 and inserting the following:

"NEW SUBSECTION. 3C. Health care providers shall".

9. Page 2, by inserting after line 18, the following:

"NEW SUBSECTION. 3D. A physician assistant rules review group is established consisting of two physician assistants selected by the board of physician assistants, two physicians selected by the board of medical examiners, and one physician currently practicing as a supervising physician of physician assistants selected by the four other members of the rules review group no later than August 1, 1991. The rules review group shall select its own chairperson.

The rules review group shall review and approve or disapprove rules proposed for adoption relating to the authority of physician assistants to supply or prescribe drugs, controlled substances, and medical devices pursuant to subsection 3B. Approval shall be by a simple majority of the members of the rules review group. A rule shall not become effective without the approval of the rules review group unless otherwise specified under this section."

10. Page 2, by inserting after line 24, the following:

"Sec. ____ . EFFECTIVE DATE. This Act, being deemed of immediate importance, takes effect upon enactment."

11. Title page, line 3, by inserting after the word "substances" the following: ", and providing an effective date".

12. By renumbering, relettering, and correcting internal references as necessary.

ON THE PART OF THE SENATE:

JAMES RIORDAN, Chairperson
BEVERLY HANNON
JOHN JENSEN
MARY KRAMER
LARRY MURPHY

ON THE PART OF THE HOUSE:

GENE BLANSHAN, Chairperson
DOROTHY CARPENTER
SCOTT KREBSBACH
DAVID OSTERBERG
JANE TEAFORD

Adopted 5/8/91 (p. 2179)

FILED MAY 8, 1991
ADOPTED (p. 1721)

SENATE FILE 42

AN ACT

RELATING TO THE AUTHORITY OF PHYSICIAN ASSISTANTS TO PRESCRIBE
AND SUPPLY PRESCRIPTION DRUGS AND CONTROLLED SUBSTANCES,
AND PROVIDING AN EFFECTIVE DATE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 147.107, Code 1991, is amended by adding the following new subsections:

NEW SUBSECTION. 3A. Notwithstanding subsection 3, a physician assistant shall not dispense prescription drugs as an incident to the practice of the supervising physician or the physician assistant, but may supply, when pharmacist services are not reasonably available, or when it is in the best interests of the patient, a quantity of properly packaged and labeled prescription drugs, controlled substances, or medical devices necessary to complete a course of therapy. However, a remote clinic, staffed by a physician assistant, where pharmacy services are not reasonably available, shall secure the regular advice and consultation of a pharmacist regarding the distribution, storage, and appropriate use of such drugs, substances, and devices. Prescription drugs supplied under the provisions of this subsection shall be

supplied for the purpose of accommodating the patient and shall not be sold for more than the cost of the drug and reasonable overhead costs, as they relate to supplying prescription drugs to the patient, and not at a profit to the physician or the physician assistant. If prescription drug supplying authority is delegated by a supervising physician to a physician assistant, a nurse or staff assistant may assist the physician assistant in providing that service. Rules shall be adopted by the board of physician assistant examiners, after consultation with the board of pharmacy examiners, to implement this subsection.

NEW SUBSECTION. 3B. Notwithstanding subsection 1 and any other provision of this section to the contrary, a physician may delegate the function of prescribing drugs, controlled substances, and medical devices to a physician assistant licensed pursuant to chapter 148C. When delegated prescribing occurs, the supervising physician's name shall be used, recorded, or otherwise indicated in connection with each individual prescription so that the individual who dispenses or administers the prescription knows under whose delegated authority the physician assistant is prescribing. Rules relating to the authority of physician assistants to prescribe drugs, controlled substances, and medical devices pursuant to this subsection shall be adopted by the board of physician assistant examiners, after consultation with the board of medical examiners and the board of pharmacy examiners, as soon as possible after July 1, 1991. The rules shall be reviewed and approved by the physician assistant rules review group created under subsection 3D and shall be adopted in final form by January 1, 1993. However, the rules shall prohibit the prescribing of Schedule II controlled substances which are listed as stimulants or depressants pursuant to chapter 204. If rules are not reviewed and approved by the physician assistant rules review group created under subsection 3D and adopted in final form by January 1, 1993, a physician

assistant may prescribe drugs as a delegated act of a supervising physician under rules adopted by the physician assistant board of examiners and subject to the rules review process established in section 148C.7. The board of physician assistant examiners shall be the only board to regulate the practice of physician assistants relating to prescribing and supplying prescription drugs, controlled substances and medical devices, notwithstanding section 148C.6A.

NEW SUBSECTION. 3C. Health care providers shall consider the instructions of the physician assistant to be instructions of the supervising physician if the instructions concern duties delegated to the physician assistant by a supervising physician.

NEW SUBSECTION. 3D. A physician assistant rules review group is established consisting of two physician assistants selected by the board of physician assistants, two physicians selected by the board of medical examiners, and one physician currently practicing as a supervising physician of physician assistants selected by the four other members of the rules review group no later than August 1, 1991. The rules review group shall select its own chairperson.

The rules review group shall review and approve or disapprove rules proposed for adoption relating to the authority of physician assistants to supply or prescribe drugs, controlled substances, and medical devices pursuant to subsection 3B. Approval shall be by a simple majority of the members of the rules review group. A rule shall not become effective without the approval of the rules review group unless otherwise specified under this section.

Sec. 2. LIMITATION OF POWERS.

This Act shall not be construed to limit the powers currently delegated or authorized by statute or departmental rules to physician assistants. This Act shall also not be construed to limit the current authority of the board of medical examiners over a supervising physician.

Sec. 3. EFFECTIVE DATE. This Act, being deemed of immediate importance, takes effect upon enactment.

JOE J. WELSH
President of the Senate

ROBERT C. ARNOULD
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 42, Seventy-fourth General Assembly.

Approved _____, 1991

JOHN F. DWYER
Secretary of the Senate

TERRY E. BRANSTAD
Governor