

Senate Bill 268

By: Senators Hufstetler of the 52nd and Orrock of the 36th

A BILL TO BE ENTITLED  
AN ACT

1 To amend Code Section 43-34-103 of the Official Code of Georgia Annotated, relating to  
2 delegation of authority to physician assistants, so as to authorize a physician to delegate to  
3 a physician assistant the authority to prescribe Schedule II controlled substances; to require  
4 health insurance providers to record the name of a physician assistant providing care and  
5 treatment to a patient; to provide for related matters; to repeal conflicting laws; and for other  
6 purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Code Section 43-34-103 of the Official Code of Georgia Annotated, relating to delegation  
10 of authority to physician assistants, is amended by revising paragraph (1) of subsection (e.1)  
11 as follows:

12 "(1) In addition to and without limiting the authority granted by Code Section 43-34-23,  
13 a physician may delegate to a physician assistant, in accordance with a job description,  
14 the authority to issue a prescription drug order or orders for any device as defined in Code  
15 Section 26-4-5 or to issue any dangerous drug as defined in Code Section 16-13-71 or  
16 any Schedule II, III, IV, or V controlled substance as defined in Code Section 16-13-21  
17 on a prescription drug order or prescription device order form as specified in paragraph  
18 (3) of this subsection. Delegation of such authority shall be contained in the job  
19 description required by this Code section. The delegating physician shall remain  
20 responsible for the medical acts of the physician assistant performing such delegated acts  
21 and shall adequately supervise the physician assistant. If an existing job description for  
22 a physician assistant does not contain such authority to order a prescription drug or device  
23 order as provided by this subsection, that physician assistant may not issue any such  
24 prescription drug or device order until a new job description delegating such authority is  
25 submitted to and approved by the board. Nothing in this Code section shall be construed  
26 to authorize the written prescription drug order of a Schedule I ~~or H~~ controlled substance."

27 **SECTION 2.**

28 Said Code section is further amended by adding a new subsection to read as follows:

29 "(m) A health insurance provider shall record the name of a physician assistant providing  
30 health care for a patient. Such recording shall be made in the same manner as such  
31 provider records the name of the treating physician. Such recording shall be made for the  
32 purposes of documenting care and treatment provided to a patient by a physician assistant,  
33 facilitating communication regarding a patient's health care, and accurately monitoring  
34 treatment provided by health care providers. Nothing in this subsection shall be construed  
35 to prevent a health insurance provider from recording the name of the delegating physician  
36 in addition to the name of the physician assistant."

37 **SECTION 3.**

38 All laws and parts of laws in conflict with this Act are repealed.