

CHAPTER 524—S.F.No. 1798

An act relating to health; providing limited prescription privileges for physician assistants; requiring permanent registration for certain physician assistants; appropriating money; amending Minnesota Statutes 1988, section 151.37, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 147.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. [147.34] **PHYSICIAN ASSISTANTS; DELEGATED AUTHORITY TO PRESCRIBE AND ADMINISTER DRUGS AND MEDICAL DEVICES.**

Subdivision 1. DELEGATION OF AUTHORITY TO PRESCRIBE AND ADMINISTER DRUGS AND MEDICAL DEVICES. (a) A supervising physician may delegate to a physician assistant who is registered with the board of medical examiners and certified by the National Commission on Certification of Physician Assistants and who is under the supervising physician's supervision, the authority to prescribe and administer legend drugs and medical devices, subject to the requirements in this section and other requirements established by the commissioner of health in rules.

(b) The agreement between the physician assistant and supervising physician and any alternate supervising physicians must include a statement by the supervising physician regarding delegation or nondelegation of the functions of prescribing and administering of legend drugs and medical devices to the physician assistant. The statement must include a protocol indicating categories of drugs for which the supervising physician delegates prescriptive authority. The delegation must be appropriate to the physician assistant's practice and within the scope of the physician assistant's training. The commissioner of health shall identify categories of drugs, if any, for which delegated prescribing is inappropriate. Physician assistants who have been delegated the authority to prescribe and administer legend drugs and medical devices shall provide evidence of current certification by the National Commission on Certification of Physician Assistants when registering or reregistering as physician assistants. Supervising physicians shall retrospectively review, on a daily basis, the prescribing and administering of legend drugs and medical devices by physician assistants, when this authority has been delegated to the physician assistant as part of the delegation agreement between the physician and the physician assistant. During each on-site visit required under Minnesota Rules, the supervising physician shall document by signature and date that the prescriptive practice of the physician assistant has been reviewed.

(c) The commissioner of health shall establish by rule:

(1) a system of identifying physician assistants eligible to prescribe drugs and medical devices;

(2) a method of determining the categories of prescription drugs and medical devices that each physician assistant is allowed to prescribe; and

New language is indicated by underline, deletions by ~~strikeout~~.

(3) a system of transmitting to pharmacies a listing of physician assistants eligible to prescribe prescription drugs and medical devices and the types of drugs and medical devices they are allowed to prescribe.

Subd. 2. AUTHORITY TO ADOPT RULES. The commissioner of health may adopt or amend rules to implement this section, including the amendment of rules previously adopted under section 214.13. The commissioner may delegate to the board of medical examiners the authority to implement and enforce the rules.

Sec. 2. Minnesota Statutes 1988, section 151.37, is amended by adding a subdivision to read:

Subd. 2a. A supervising physician may delegate to a physician assistant who is registered with the board of medical examiners and certified by the National Commission on Certification of Physician Assistants and who is under the supervising physician's supervision, the authority to prescribe and administer legend drugs and medical devices, subject to the requirements in section 1 and other requirements established by the commissioner of health in rules.

Sec. 3. PERMANENT REGISTRATION OF PHYSICIAN ASSISTANTS.

The board of medical examiners shall register those physician assistants who were granted temporary registration under Minnesota Rules, part 5600.2640, subpart 1, but who have been unable to meet the requirements of Minnesota Rules, part 5600.2640, subpart 2, within the designated time due to a change in certification examination eligibility requirements made by the National Commission on Certification of Physician Assistants. These individuals shall be allowed to reregister under Minnesota Rules, part 5600.2645, without having to meet the requirements of Minnesota Rules, part 5600.2640, subpart 2. The board shall register as a physician assistant any person who as of August 24, 1987:

(1) had at least seven years of experience practicing as a physician assistant or surgical assistant; and

(2) had been certified as a physician assistant by the national commission on certification of physician assistants, whether or not the person is currently certified.

Sec. 4. APPROPRIATIONS.

\$5,300 is appropriated to the commissioner of health from the special revenue fund for the fiscal year ending June 30, 1991, to administer section 1.

Sec. 5. EFFECTIVE DATE.

Section 1, subdivision 1, paragraphs (b) and (c), are effective June 1, 1991.

New language is indicated by underline, deletions by ~~strikeout~~.

Section 1, subdivision 2, and section 3, are effective the day following final enactment.

Presented to the governor April 24, 1990

Signed by the governor April 26, 1990, 10:37 p.m.

CHAPTER 525—S.F.No. 1750

An act relating to agriculture; extending the farmer-lender mediation act; appropriating money; amending Laws 1986, chapter 398, article 1, section 18, as amended.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Laws 1986, chapter 398, article 1, section 18, as amended by Laws 1987, chapter 292, section 37, and Laws 1989, chapter 350, article 16, section 8, is amended to read:

Sec. 18. **REPEALER.**

Sections 1 to 17 and Minnesota Statutes, section 336.9-501, subsections (6) and (7), and sections 583.284, 583.285, and 583.305, are repealed on July 1, ~~1990~~ 1992.

Sec. 2. **APPROPRIATION.**

\$100,000 is appropriated from the general fund to the Minnesota extension service for fiscal year 1991 for operation of the farmer-lender mediation program.

Presented to the governor April 24, 1990

Signed by the governor April 26, 1990, 11:34 p.m.

CHAPTER 526—S.F.No. 1758

An act relating to health; requiring the licensing of wholesale drug distributors; regulating the use of biosynthetic bovine somatotropin; providing penalties; amending Minnesota Statutes 1988, sections 151.01, subdivision 28; 151.06, subdivision 1; 151.15, subdivision 3; and 151.25; proposing coding for new law in Minnesota Statutes, chapter 151.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. **PURPOSE.**

New language is indicated by underline, deletions by ~~strikeout~~.