

**TITLE 435. STATE BOARD OF MEDICAL LICENSURE AND SUPERVISION
CHAPTER 15. PHYSICIAN ASSISTANTS**

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 1. General Provisions

435:15-1-1.1. Definitions [AMENDED]

Subchapter 3. Licensure of Physician Assistants

435:15-3-1. Qualification; application [AMENDED]

435:15-3-13. ~~Supervising~~ Delegating physician; ~~alternatives~~ [AMENDED]

435:15-3-19. Locum tenens [REVOKED]

Subchapter 5. Regulation of Practice

435:15-5-10. Prescriptions [AMENDED]

435:15-5-11. Discipline [AMENDED]

Subchapter 11. Prescriptive Guidelines and Drug Formulary

435:15-11-1. Prescriptive and dispensing authority [AMENDED]

435:15-11-2. Drug formulary [AMENDED]

SUMMARY:

The proposed rule amendments add a definition for “Delegating physician” and expand the definition for “On-site.” The proposed amendments allow a physician to serve as the delegating physician for an unlimited number of PAs if the delegating physician physically practices at least 50% of the time in the state of Oklahoma during a calendar year. However, it restricts a physician from serving as the delegating physician for more than a total of six physician assistants at any one time who are delegated outpatient schedule II prescribing authority. The proposed revisions also make amendments to the PA prescription authority by, including but not limited to, allowing PAs to prescribe Schedule II drugs while removing the limitation of writing prescriptions only “on site” and authorizing prescriptions for non-controlled medications to be written for up to a 100-day supply with three refills. Additionally, the rules propose amended application and practice agreement requirements, and revoke the requirements for practicing locum tenens in Oklahoma in harmony with current law. The rules also eliminate the requirement for an inclusive formulary relating to the prescribing ability of PAs.

AUTHORITY:

59 O.S. § 519, et seq.; Oklahoma Board of Medical Licensure and Supervision

COMMENT PERIOD:

Persons wishing to present their views in writing may do so by 5:00 p.m. on February 16, 2024 at the following address: Oklahoma Board of Medical Licensure and Supervision, Attn: Barbara Smith, 101 NE 51st Street, Oklahoma City, Oklahoma 73105 or via email at bsmith@okmedicalboard.org. No written comments will be accepted after the conclusion of the written comment period.

PUBLIC HEARING:

A public hearing will be held at 9:00 a.m. on Thursday, February 22, 2024, at the Oklahoma Board of Medical Licensure and Supervision, 101 NE 51st Street, Oklahoma City, Oklahoma. Anyone who wishes to speak will be required to sign in at the door no later than 9:15 a.m.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

N/A

COPIES OF PROPOSED RULES:

Copies of the proposed rules may be obtained from the Oklahoma Board of Medical Licensure and Supervision website at www.okmedicalboard.org under the Physician Assistant tab or you may request a copy in person at 101 NE 51st Street, Oklahoma City, Oklahoma.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S., Section 303(D), a rule impact statement will be prepared and will be available in the Oklahoma Board of Medical Licensure and Supervision office at the address listed above and on the Board's website at www.okmedicalboard.org under the Physician Assistant tab after January 31, 2024.

CONTACT PERSON:

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