

45:9-27.19

LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2005 **CHAPTER:** 48

NJSA: 45:9-27.19 (Permits physician assistants to prescribe controlled dangerous substances)

BILL NO: A1985 (Substituted for S685)

SPONSOR(S): Weinberg and others

DATE INTRODUCED: January 26, 2004

COMMITTEE: **ASSEMBLY:** Health and Human Services
SENATE: Health, Human Services and Senior Citizens

AMENDED DURING PASSAGE: Yes

DATE OF PASSAGE: **ASSEMBLY:** June 21, 2004
SENATE: February 14, 2005

DATE OF APPROVAL: March 21, 2005

FOLLOWING ARE ATTACHED IF AVAILABLE:

[FINAL TEXT OF BILL](#) 1st reprint enacted

A1985

[SPONSOR'S STATEMENT:](#) (Begins on page 2 of original bill) [Yes](#)

COMMITTEE STATEMENT: [ASSEMBLY:](#) [Yes](#)

[SENATE:](#) [Yes](#)

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

S685

[SPONSOR'S STATEMENT:](#) (Begins on page 2 of original bill) [Yes](#)

COMMITTEE STATEMENT: **ASSEMBLY:** No

[SENATE:](#) [Yes](#)

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: No

FOLLOWING WERE PRINTED:

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REPORTS:

No

HEARINGS:

No

NEWSPAPER ARTICLES:

No

IS 4/3/07

P.L. 2005, CHAPTER 48, *approved March 21, 2005*
Assembly, No. 1985 (*First Reprint*)

1 AN ACT concerning the ordering or prescribing of medications by
2 physician assistants and amending P.L.1991, c.378.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. Section 10 of P.L.1991, c.378 (C.45:9-27.19) is amended to
8 read as follows:

9 10. A physician assistant treating a patient in an inpatient or
10 outpatient setting may order or prescribe medications, subject to the
11 following conditions:

12 a. ~~[no]~~ controlled dangerous substances may be ordered or
13 prescribed if:

14 ¹(1)¹ a supervising physician has authorized a physician assistant to
15 order or prescribe Schedule II, III, IV or V controlled dangerous
16 substances¹ [; and] in order to:

17 (a) continue or reissue an order or prescription for a controlled
18 dangerous substance issued by the supervising physician;

19 (b) otherwise adjust the dosage of an order or prescription for a
20 controlled dangerous substance originally ordered or prescribed by the
21 supervising physician, provided there is prior consultation with the
22 supervising physician;

23 (c) initiate an order or prescription for a controlled dangerous
24 substance for a patient, provided there is prior consultation with the
25 supervising physician if the order or prescription is not pursuant to
26 subparagraph (d) of this paragraph; or

27 (d) initiate an order or prescription for a controlled dangerous
28 substance as part of a treatment plan for a patient with a terminal
29 illness, which for the purposes of this subparagraph means a medical
30 condition that results in a patient's life expectancy being 12 months or
31 less as determined by the supervising physician;

32 (2)¹ the physician assistant has registered with and obtained
33 authorization to order or prescribe controlled dangerous substances
34 from the appropriate State and federal agencies¹; and

35 (3) the physician assistant complies with all requirements which the
36 board shall establish by regulation for the administration of controlled
37 dangerous substances pursuant to section 15 of P.L.1991, c.378
38 (C.45:9-27.24) and applicable requirements with respect to
39 educational programs approved by the board pursuant to section 17 of
40 P.L.1991, c.378 (C.45:9-27.26) and continuing professional education

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined **thus** is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Assembly AHH committee amendments adopted June 14, 2004.

1 programs approved pursuant to section 16 of P.L.1991, c.378 (C.45:9-
2 27.25)¹;

3 b. the order or prescription is administered in accordance with
4 protocols or specific physician direction pursuant to subsection b. of
5 section 7 of [this act] P.L.1991, c.378 (C.45:9-27.16);

6 c. the prescription states whether it is written pursuant to protocol
7 or specific physician direction; and

8 d. the physician assistant signs his own name, prints his name and
9 license number and prints the supervising physician's name, and in the
10 case of an order or prescription for a controlled dangerous substance,
11 prints the physician assistant's Drug Enforcement Administration
12 registration number.

13 (cf: P.L.1998, c.125, s.3)

14

15 2. This act shall take effect ¹[immediately] on the 180th day after
16 enactment¹.

17

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20

21 Permits physician assistants to prescribe controlled dangerous
22 substances.

ASSEMBLY, No. 1985

STATE OF NEW JERSEY

211th LEGISLATURE

INTRODUCED JANUARY 26, 2004

Sponsored by:

Assemblywoman LORETTA WEINBERG

District 37 (Bergen)

Assemblywoman CHARLOTTE VANDERVALK

District 39 (Bergen)

SYNOPSIS

Permits physician assistants to prescribe controlled dangerous substances.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/15/2004)

A1985 WEINBERG, VANDERVALK

2

1 AN ACT concerning the ordering or prescribing of medications by
2 physician assistants and amending P.L.1991, c.378.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. Section 10 of P.L.1991, c.378 (C.45:9-27.19) is amended to
8 read as follows:

9 10. A physician assistant treating a patient in an inpatient or
10 outpatient setting may order or prescribe medications, subject to the
11 following conditions:

12 a. ~~[no]~~ controlled dangerous substances may be ordered or
13 prescribed if: a supervising physician has authorized a physician
14 assistant to order or prescribe Schedule II, III, IV or V controlled
15 dangerous substances; and the physician assistant has registered with
16 and obtained authorization to order or prescribe controlled dangerous
17 substances from the appropriate State and federal agencies;

18 b. the order or prescription is administered in accordance with
19 protocols or specific physician direction pursuant to subsection b. of
20 section 7 of ~~[this act]~~ P.L.1991, c.378 (C.45:9-27.16);

21 c. the prescription states whether it is written pursuant to protocol
22 or specific physician direction; and

23 d. the physician assistant signs his own name, prints his name and
24 license number and prints the supervising physician's name, and in the
25 case of an order or prescription for a controlled dangerous substance,
26 prints the physician assistant's Drug Enforcement Administration
27 registration number.

28 (cf: P.L.1998, c.125, s.3)

29

30 2. This act shall take effect immediately.

31

32

33

STATEMENT

34

35 This bill amends N.J.S.A.45:9-27.19 in order to permit a physician
36 assistant to order or prescribe controlled dangerous substances,
37 subject to certain conditions.

38 These conditions are as follows:

39 -- The physician assistant's supervising physician must authorize the
40 physician assistant to order or prescribe Schedule II, III, IV or V
41 controlled dangerous substances;

42 -- The physician assistant must register with and obtain
43 authorization to order or prescribe controlled dangerous substances

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

1 from the appropriate State and federal agencies;

2 -- The physician assistant must print his Drug Enforcement
3 Administration registration number on the order or prescription; and

4 -- The physician assistant must meet the other requirements set
5 forth in N.J.S.A.45:9-27.19 for a physician assistant to order or
6 prescribe any medication (i.e., the order or prescription must be
7 administered in accordance with protocols or specific physician
8 direction pursuant to law; the prescription must state whether it is
9 written pursuant to protocol or specific physician direction; and the
10 physician assistant must sign his own name, and print his name and
11 license number and the supervising physician's name).

12 Currently, physician assistants treating a patient in an inpatient or
13 outpatient setting are permitted to order or prescribe medications
14 under certain conditions but are prohibited from ordering or
15 prescribing a controlled dangerous substance.

ASSEMBLY HEALTH AND HUMAN SERVICES COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1985

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 14, 2004

The Assembly Health and Human Services Committee reports favorably and with committee amendments Assembly Bill No. 1985.

As amended by the committee, this bill amends N.J.S.A.45:9-27.19 in order to permit a physician assistant to order or prescribe controlled dangerous substances, subject to certain conditions.

These conditions are as follows:

-- The physician assistant's supervising physician must authorize the physician assistant to order or prescribe Schedule II, III, IV or V controlled dangerous substances in order to:

(1) continue or reissue an order or prescription for a controlled dangerous substance issued by the supervising physician;

(2) otherwise adjust the dosage of an order or prescription for a controlled dangerous substance originally ordered or prescribed by the supervising physician, provided there is prior consultation with the supervising physician;

(3) initiate an order or prescription for a controlled dangerous substance for a patient, provided there is prior consultation with the supervising physician if the order or prescription is not part of a treatment plan for a patient with a terminal illness (i.e., a medical condition that results in a patient's life expectancy being 12 months or less as determined by the supervising physician); or

(4) initiate an order or prescription for a controlled dangerous substance as part of a treatment plan for a patient with a terminal illness;

-- The physician assistant must register with and obtain authorization to order or prescribe controlled dangerous substances from the appropriate State and federal agencies; and

-- The physician assistant must comply with all requirements which the State Board of Medical Examiners establishes by regulation for the administration of controlled dangerous substances pursuant to N.J.S.A.45:9-27.24 and applicable requirements with respect to educational programs approved by the board pursuant to N.J.S.A.45:9-27.26 and continuing professional education programs approved pursuant to N.J.S.A.45:9-27.25.

-- The physician assistant must print his Drug Enforcement

Administration registration number on the order or prescription; and

-- The physician assistant must meet the other requirements set forth in N.J.S.A.45:9-27.19 for a physician assistant to order or prescribe any medication (i.e., the order or prescription must be administered in accordance with protocols or specific physician direction pursuant to law; the prescription must state whether it is written pursuant to protocol or specific physician direction; and the physician assistant must sign his own name, and print his name and license number and the supervising physician's name).

The bill takes effect on the 180th day after enactment.

Currently, physician assistants treating a patient in an inpatient or outpatient setting are permitted to order or prescribe medications under certain conditions but are prohibited from ordering or prescribing a controlled dangerous substance.

As reported by the committee, this bill is similar to Senate Bill No. 685 (Vitale/Karcher), which is currently pending in the Senate Health, Human Services and Senior Citizens Committee.

COMMITTEE AMENDMENTS

The committee amendments to the bill clarify the requirements of the bill by stipulating that a physician assistant would be permitted to order or prescribe controlled dangerous substances:

(1) in order to:

-- continue or reissue an order or prescription for a controlled dangerous substance issued by the supervising physician;

-- otherwise adjust the dosage of an order or prescription for a controlled dangerous substance originally ordered or prescribed by the supervising physician, provided there is prior consultation with the supervising physician;

-- initiate an order or prescription for a controlled dangerous substance for a patient, provided there is prior consultation with the supervising physician if the order or prescription is not part of a treatment plan for a patient with a terminal illness; or

-- initiate an order or prescription for a controlled dangerous substance as part of a treatment plan for a patient with a terminal illness, which is defined as a medical condition that results in a patient's life expectancy being 12 months or less as determined by the supervising physician; and

(2) if the physician assistant complies with all requirements which the State Board of Medical Examiners establishes by regulation for the administration of controlled dangerous substances and applicable requirements with respect to approved educational programs and continuing professional education programs.

The amendments also provide that the bill is to take effect on the 180th day after enactment, rather than immediately.

SENATE HEALTH, HUMAN SERVICES AND SENIOR
CITIZENS COMMITTEE

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 1985

STATE OF NEW JERSEY

DATED: OCTOBER 14, 2004

The Senate Health, Human Services and Senior Citizens Committee reports favorably Assembly Bill No. 1985 (1R).

This bill would permit a physician assistant to order or prescribe controlled dangerous substances, subject to certain conditions.

The bill amends N.J.S.A.45:9-27.19 to provide that a physician assistant may order or prescribe a controlled dangerous substance if his supervising physician authorizes him to order or prescribe Schedule II, III, IV or V controlled dangerous substances in order to:

- C continue or reissue an order or prescription issued by the supervising physician;
- C otherwise adjust the dosage of an order or prescription originally ordered or prescribed by the supervising physician, provided there is prior consultation with the supervising physician;
- C initiate an order or prescription for a patient, provided there is prior consultation with the supervising physician if the order or prescription is not part of a treatment plan for a patient with a terminal illness (i.e., a medical condition that results in a patient's life expectancy being 12 months or less as determined by the supervising physician); or
- C initiate an order or prescription as part of a treatment plan for a patient with a terminal illness;

The physician assistant also must register with and obtain authorization to order or prescribe controlled dangerous substances from the appropriate State and federal agencies, and print his Drug Enforcement Administration registration number on the order or prescription. The bill also provides that the physician assistant shall comply with all applicable regulations of the State Board of Medical Examiners regarding the administration of controlled dangerous substances and board-approved educational and continuing professional education programs.

The bill takes effect on the 180th day after enactment.

Currently, physician assistants treating a patient in an inpatient or outpatient setting are permitted to order or prescribe medications

under certain conditions, but are prohibited from ordering or prescribing a controlled dangerous substance.

As reported by the committee, this bill is identical to Senate Bill No. 685 SCA (Vitale/Karcher), which the committee also reported favorably on this date.

SENATE, No. 685

STATE OF NEW JERSEY 211th LEGISLATURE

INTRODUCED JANUARY 26, 2004

Sponsored by:

Senator JOSEPH F. VITALE

District 19 (Middlesex)

Senator ELLEN KARCHER

District 12 (Mercer and Monmouth)

SYNOPSIS

Permits physician assistants to prescribe controlled dangerous substances.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 2/6/2004)

1 AN ACT concerning the ordering or prescribing of medications by
2 physician assistants and amending P.L.1991, c.378.

3
4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6
7 1. Section 10 of P.L.1991, c.378 (C.45:9-27.19) is amended to
8 read as follows:

9 10. A physician assistant treating a patient in an inpatient or
10 outpatient setting may order or prescribe medications, subject to the
11 following conditions:

12 a. **[no]** controlled dangerous substances may be ordered or
13 prescribed if: a supervising physician has authorized a physician
14 assistant to order or prescribe Schedule II, III, IV or V controlled
15 dangerous substances; and the physician assistant has registered with
16 and obtained authorization to order or prescribe controlled dangerous
17 substances from the appropriate State and federal agencies;

18 b. the order or prescription is administered in accordance with
19 protocols or specific physician direction pursuant to subsection b. of
20 section 7 of **[this act]** P.L.1991, c.378 (C.45:9-27.16);

21 c. the prescription states whether it is written pursuant to protocol
22 or specific physician direction; and

23 d. the physician assistant signs his own name, prints his name and
24 license number and prints the supervising physician's name, and in the
25 case of an order or prescription for a controlled dangerous substance,
26 prints the physician assistant's Drug Enforcement Administration
27 registration number.

28 (cf: P.L.1998, c.125, s.3)

29
30 2. This act shall take effect immediately.

31

32

33

STATEMENT

34

35 This bill amends N.J.S.A.45:9-27.19 in order to permit a physician
36 assistant to order or prescribe controlled dangerous substances,
37 subject to certain conditions.

38 These conditions are as follows:

39 -- The physician assistant's supervising physician must authorize
40 the physician assistant to order or prescribe Schedule II, III, IV or V
41 controlled dangerous substances;

42 -- The physician assistant must register with and obtain
43 authorization to order or prescribe controlled dangerous substances

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

1 from the appropriate State and federal agencies;

2 -- The physician assistant must print his Drug Enforcement
3 Administration registration number on the order or prescription; and

4 -- The physician assistant must meet the other requirements set
5 forth in N.J.S.A.45:9-27.19 for a physician assistant to order or
6 prescribe any medication (i.e., the order or prescription must be
7 administered in accordance with protocols or specific physician
8 direction pursuant to law; the prescription must state whether it is
9 written pursuant to protocol or specific physician direction; and the
10 physician assistant must sign his own name, and print his name and
11 license number and the supervising physician's name).

12 Currently, physician assistants treating a patient in an inpatient or
13 outpatient setting are permitted to order or prescribe medications
14 under certain conditions, but are prohibited from ordering or
15 prescribing a controlled dangerous substance.

SENATE HEALTH, HUMAN SERVICES AND SENIOR
CITIZENS COMMITTEE

STATEMENT TO

SENATE, No. 685

with committee amendments

STATE OF NEW JERSEY

DATED: OCTOBER 14, 2004

The Senate Health, Human Services and Senior Citizens Committee reports favorably and with committee amendments Senate Bill No. 685.

As amended by committee, this bill would permit a physician assistant to order or prescribe controlled dangerous substances, subject to certain conditions.

The bill amends N.J.S.A.45:9-27.19 to provide that a physician assistant may order or prescribe a controlled dangerous substance if his supervising physician authorizes him to order or prescribe Schedule II, III, IV or V controlled dangerous substances in order to:

- C continue or reissue an order or prescription issued by the supervising physician;
- C otherwise adjust the dosage of an order or prescription originally ordered or prescribed by the supervising physician, provided there is prior consultation with the supervising physician;
- C initiate an order or prescription for a patient, provided there is prior consultation with the supervising physician if the order or prescription is not part of a treatment plan for a patient with a terminal illness (i.e., a medical condition that results in a patient's life expectancy being 12 months or less as determined by the supervising physician); or
- C initiate an order or prescription as part of a treatment plan for a patient with a terminal illness;

The physician assistant also must register with and obtain authorization to order or prescribe controlled dangerous substances from the appropriate State and federal agencies, and print his Drug Enforcement Administration registration number on the order or prescription. The bill also provides that the physician assistant shall comply with all applicable regulations of the State Board of Medical Examiners regarding the administration of controlled dangerous substances and board-approved educational and continuing professional education programs.

The bill takes effect on the 180th day after enactment.

Currently, physician assistants treating a patient in an inpatient or outpatient setting are permitted to order or prescribe medications under certain conditions, but are prohibited from ordering or prescribing a controlled dangerous substance.

The committee amended the bill to specify the conditions and circumstances under which a physician assistant would be permitted to order or prescribe controlled dangerous substances. Amendments also provide that a physician assistant must comply with all requirements of the State Board of Medical Examiners for the administration of controlled dangerous substances and for approved educational programs and continuing professional education programs. Finally, amendments delay the effective date of the bill from immediately (as the bill originally provided), to the 180th day after enactment.

As reported, this bill is identical to Assembly Bill No. 1985 (1R) (Weinberg/Vandervalk/Gordon), which the committee also reported favorably on this date.