

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office
FLOOR DEBATE

February 1, 2005 LB 175

Legislature. LB 175 was brought to me by the Nebraska Academy of Physician Assistants, and it deals with the authority of physician assistants--many of you refer to these as PAs--to prescribe drugs and devices pursuant to a scope of practice agreement with the supervising physician. Current law permits a physician to delegate authority to a physician assistant to prescribe all drugs and devices, with the exception that a physician assistant may only prescribe Schedule II controlled substances for a 72-hour period for the relief of pain, and the prescription may not be renewed by the physician assistant. LB 175 would remove that 72-hour restriction, and would clarify that any limitations placed on the prescribing authority of the physician assistant must be recorded on the scope of practice agreement with his or her supervising physician. Recognizing the delegated authority of the physician assistant to prescribe controlled substances for relief of pain, LB 175 also adds physician assistants to certain...to sections relating to prescribing, dispensing, or administration of excess dosage of controlled substance for treatment of pain. Current law permits such dosages, as long as the dosage is not prescribed, dispensed of...administered for the purpose of causing or assisting in causing death, and it conforms to the policies and guidelines for the treatment of pain adopted by the Board of Examiners of the Medical and Surgery. Section 71-2418, 71-2420 were originally adopted as part of LB 226 in 1999. The testimony that was brought forward by the physician assistants explained a little bit, and I will quote right from that testimony PAs work with oncology and hospice patients who require more than a mere three days of pain control. Patients with injuries or postsurgical pain require greater than 72 hours of pain control. Chronic conditions flare up and require treatment of narcotic pain control. Some medications come in patches only dispensed in a quantity greater than for 72 hours. Schedule II medications also include stimulants that are appropriate for Attention Deficit Hyperactivity Disorder, and the current statute prohibits supervising physicians...prohibits supervising physicians the authority to delegate that authority to his or her PA, and ability to appropriate medical care. Twenty-eight states allow Schedule II prescribing by PAs, including our surrounding states, and no state has ever rescinded their law. I think this is a very straightforward bill. It does...all it