



Maryland Statutory Requirements for Physician Assistant Prescriptions

With the widespread implementation of electronic medical records, including changing from one EMR to another, one of the big issues has been PA prescription-writing. None of the EMRs had taken into account Maryland's legal requirements for PA prescriptions. Due to unforeseen circumstances, some pharmacies have been audited for compliance and had payments retracted due to failure to meet requirements. Below is the extracted requirements according to Maryland state law for PA prescriptions:

§15-302.2.

- (a) **A primary supervising physician may not delegate prescribing, dispensing, and administering of controlled dangerous substances, prescription drugs, or medical devices unless the primary supervising physician and physician assistant include in the delegation agreement:**
- (1) **A notice of intent to delegate prescribing of controlled dangerous substances, prescription drugs, or medical devices;**
 - (2) **An attestation that all prescribing activities of the physician assistant will comply with applicable federal and State regulations;**
 - (3) **An attestation that all medical charts or records will contain a notation of any prescriptions written by a physician assistant in accordance with this section;**
 - (4) **An attestation that all prescriptions written under this section will include the physician assistant's name and the supervising physician's name, business address, and business telephone number legibly written or printed;**
 - (5) **An attestation that the physician assistant has:**
 - (i) **Passed the physician assistant national certification exam administered by the National Commission on the Certification of Physician Assistants within the previous 2 years; or**
 - (ii) **Successfully completed 8 category 1 hours of pharmacology education within the previous 2 years; and**
 - (6) **An attestation that the physician assistant has:**
 - (i) **A bachelor's degree or its equivalent; or**
 - (ii) **Successfully completed 2 years of work experience as a physician assistant.**

- (b) (1) A primary supervising physician may not delegate the prescribing of substances that are identified as Schedule I controlled dangerous substances under § 5–402 of the Criminal Law Article.

(2) A primary supervising physician may delegate the prescribing of substances that are identified as Schedules II through V controlled dangerous substances under § 5–402 of the Criminal Law Article, including legend drugs as defined under § 503(b) of the Federal Food, Drug, and Cosmetic Act.

(3) A primary supervising physician may not delegate the prescribing of controlled dangerous substances to a physician assistant unless the physician assistant has a valid: (i) State controlled dangerous substance registration; and
(ii) Federal Drug Enforcement Agency (DEA) registration.
- (c) A physician assistant personally may dispense a starter dosage or dispense drug samples of any drug the physician assistant is authorized to prescribe to a patient of the physician assistant if:

 - (1) The starter dosage or drug sample complies with the labeling requirements of § 12–505 of this article;
 - (2) No charge is made for the starter dosage; and
 - (3) The physician assistant enters an appropriate record in the patient’s medical record.
- (d) A physician assistant who personally dispenses a drug sample or starter dosage in the course of treating a patient as authorized under subsection (c) of this section shall comply with the requirements under Titles 12 and 14 of this article and applicable federal law and regulations.
- (e) Before a physician assistant may renew a license for an additional 2–year term under § 15–307 of this subtitle, the physician assistant shall submit evidence to the Board of successful completion of 8 category 1 hours of pharmacology education within the previous 2 years.

PAs are legally bound to meet these requirements for each and every prescription written, or you are breaking the law and subject to further action.

Please feel free to download this for your practice and if you feel the need to share it with pharmacies in your region who fail to honor your legally-written prescription.