



# The Florida Academy of **PAIN MEDICINE** Integration & Innovation

## **ALERT ALERT!**

Dear Colleagues as you can see from the missive below it appears the FAPA's #1 Legislative priority this year is to obtain controlled substance prescribing privileges (all hands on deck)!! Given the fiasco that Florida has recently experienced with the advent of "pill mills" this would be an unwise turn of events and must be opposed for the safety of our patients. THE PAIN MANAGEMENT COMMUNITY MUST FIGHT TO PREVENT THIS LEGISLATIVE INTIATIVE.

Dr. Zipper  
President FAPM

### **FAPA BOD Approves Controlled Substance Prescribing as Number One Legislative Priority**

#### **Historic Board of Directors Meeting in Marco Island**

Dear Florida PAs and PA students:

Your FAPA leadership and Board of Directors met this past weekend to discuss our legislative priorities for the upcoming year.

The decision was made that FAPA is going to make controlled substance prescribing our number one legislative priority for the coming year. We are looking to obtain full prescriptive privileges for Florida PAs, as delegated by their collaborating physician(s).

Our intention is to better serve our patients, and to make health care more efficient and more accessible. PAs are already safely prescribing controlled substances in 48 states, Washington D.C., Guam, and the U.S. Virgin Islands.

Please help us build our case for Florida PAs to write for controlled substances. Click on the link below to answer a few quick questions that will enhance the data already gathered for this all-hands-on-deck effort.

[https://auburn.qualtrics.com/SE/?SID=SV\\_08jS6z42j9rBo2N](https://auburn.qualtrics.com/SE/?SID=SV_08jS6z42j9rBo2N)

## **We Will Need the Help of Every PA in Order to Have a Chance at Being Successful.**

We will be asking you to contact your local legislators to educate them about what you do and how not being able to prescribe controlled substances impacts your everyday practice.

We will be asking that you get your physician colleagues to also write letters in support of our effort and how the inability for us to prescribe controlled substances impacts their practice and makes them less efficient. We need your testimonials.

Please email me with your physician's stories about how our inability to prescribe controlled substances negatively impacts our ability to treat patients.

## **Controlled Substances and Florida Law**

Florida is one of two states in our nation that does not permit a PA to issue a prescription for controlled substances. Furthermore, under Title 21 of the Code of Federal Regulations, Part 1306, a PA, as an authorized agent, may not make the medical determination that a patient requires a controlled substance prescription.

To clarify: under federal law, a PA cannot suggest to a physician that a patient requires a controlled substance. This is considered delegation of a DEA license, and is not permitted. The Drug Enforcement Agency's (DEA) position is that the PA must describe the signs, symptoms, and diagnosis to the physician, then ask what medication(s) would be appropriate to prescribe to that patient. For the PA to suggest a controlled substance prescription could risk punitive actions by the DEA and/or the Florida Board of Medicine against both the PA and the physician. Please communicate this fact to your physician colleagues. I know that we traditionally may have done things differently from what is outlined above, but it is my duty to advise you of the current law.

## **Support our Political Action Committee**

Please support the FAPA Political Action Committee. The FAPA PAC, in conjunction with our lobbying team, reaches out to Florida legislators to educate them about PA practice. I ask that you consider donating 81 cents a day (\$25 monthly) to the PAC. If all 7,000 Florida PAs were FAPA members, and contributed 81 cents per day, the FAPA PAC would raise over \$2.1 million annually, which would go a very (extremely) long way to try to make Florida the best place in the nation to practice as a PA.

Go to <https://secure.fapaonline.org/pacDonation.asp?id=510F0A14> to make a contribution.

## **Become a FAPA Member**

I implore that you become a FAPA member and a FAPA PAC supporter if you are not already.

If you're already a member, please accept my sincerest thanks for supporting your profession. Please ask your PA colleagues if they are members of FAPA, and if they are not, please ask them to join and help us improve PA practice in Florida.

It is more important than ever to be a member of FAPA. FAPA is the only organization that advocates for the PA profession in Florida.

Your FAPA leadership is eager to modernize our practice act, and make Florida the best place for a PA to practice. If you have any questions or concerns, please feel free to contact FAPA Headquarters, your Regional Director, or me, your President. Our contact information is on our webpage, <http://www.fapaonline.org>

Sincerely,

**Nelson Anthony Guzman, PA-C, DHSc**

President

Florida Academy of Physician Assistants

[nelsonanthonyguzman@me.com](mailto:nelsonanthonyguzman@me.com)