



16 revising Code Section 40-2-74.1, relating to temporary, permanent, and special permanent  
17 parking permits for persons with disabilities, as follows:

18 "40-2-74.1.

19 (a) The department shall issue parking permits for persons with disabilities and may  
20 delegate to county tag agents the responsibility for issuance of such permits to residents of  
21 the county served by the tag agent. The department shall receive applications for and issue  
22 parking permits by mail to persons with disabilities upon presentation of an affidavit of a  
23 licensed doctor of medicine, licensed doctor of osteopathic medicine, licensed doctor of  
24 podiatric medicine, licensed optometrist, ~~or licensed chiropractor,~~ advanced practice  
25 registered nurse acting pursuant to the authority of Code Section 43-34-25, or physician  
26 assistant acting pursuant to the authority of subsection (e.1) of Code Section 43-34-103  
27 stating that such person is a disabled person, the specific disability that limits or impairs  
28 the person's ability to walk, and that he or she is a person with disabilities as specified in  
29 paragraph (5) of Code Section 40-6-221. Permits shall be in such form as the department  
30 prescribes but shall be of sufficient size and sufficiently distinctively marked to be easily  
31 visible when placed on or affixed to the driver's side of the dashboard or hung from the  
32 rearview mirror of the parked vehicle. Permits shall be made of a substrate as determined  
33 by the commissioner and shall be of sufficient quality to ensure that the coloring of the  
34 permit and the ink used thereon will resist fading for a period of at least four years. Permits  
35 shall be issued to individuals, and the name of the individual and an identification number  
36 shall appear on the permit. The individual to whom a permit is issued may use the permit  
37 for any vehicle he or she is operating or in which he or she is a passenger. Permits shall  
38 also be issued to institutions when the primary purpose of a vehicle operated by the  
39 institution is to transport individuals with disabilities. The name of the institution, the  
40 license number of the particular vehicle, and an identification number shall appear on the  
41 permit. The institution shall use such permit only for a vehicle which is operated by the  
42 institution and which is used primarily to transport individuals with disabilities.

43 (b) The department shall issue a temporary permit to any temporarily disabled person upon  
44 presentation of an affidavit of a licensed doctor of medicine, licensed doctor of osteopathic  
45 medicine, licensed doctor of podiatric medicine, licensed optometrist, or licensed  
46 chiropractor, advanced practice registered nurse acting pursuant to the authority of Code  
47 Section 43-34-25, or physician assistant acting pursuant to the authority of subsection (e.1)  
48 of Code Section 43-34-103 stating that such person is a temporarily disabled person, the  
49 specific disability that limits or impairs the person's ability to walk, that he or she is a  
50 person with disabilities as specified in paragraph (5) of Code Section 40-6-221, and a date  
51 until which such person is likely to remain disabled. The temporary permit shall show  
52 prominently on its face an expiration date the same as the date specified by such doctor for  
53 the likely termination of the disability, which date shall not be more than 180 days after the  
54 date the permit is issued. The expiration date shall be printed with permanent ink and in  
55 boldface type of sufficient size to be legible when the permit is displayed on the driver's  
56 side of the dashboard or hung from the rearview mirror.

57 (c) The department shall issue a permanent permit to any permanently disabled person  
58 upon presentation of an affidavit of a licensed doctor of medicine, licensed doctor of  
59 osteopathic medicine, licensed doctor of podiatric medicine, licensed optometrist, or  
60 licensed chiropractor, advanced practice registered nurse acting pursuant to the authority  
61 of Code Section 43-34-25, or physician assistant acting pursuant to the authority of  
62 subsection (e.1) of Code Section 43-34-103 stating that such person is a permanently  
63 disabled person. The affidavit shall further state the specific disability that limits or  
64 impairs the person's ability to walk or that he or she is a person with disabilities as specified  
65 in paragraph (5) of Code Section 40-6-221. The department shall also issue a permanent  
66 permit to an institution which operates vehicles used primarily for the transportation of  
67 individuals with disabilities upon presentation of a certification from the institution  
68 regarding use of its vehicles. The institution shall receive permits only for the number of  
69 vehicles so used and shall affix the permits to the driver's side of the dashboards of such

70 vehicles. The permanent permit shall be predominantly blue in color and shall show  
71 prominently on its face an expiration date four years from the date it is issued. The  
72 expiration date shall be machine printed, not handwritten, in boldface type of sufficient size  
73 to be legible when the permit is displayed on the driver's side of the dashboard or hung  
74 from the rearview mirror.

75 (d) Any individual to whom a specially designated disabled veteran's license plate has  
76 been issued pursuant to Code Sections 40-2-69 through 40-2-72 and any individual to  
77 whom a specially designated disabled person's license plate has been issued pursuant to  
78 Code Section 40-2-74 shall be authorized to park the passenger motor vehicle on which the  
79 specially designated license plate is attached in a parking place for persons with disabilities  
80 without the necessity of obtaining a parking permit for persons with disabilities pursuant  
81 to this Code section.

82 (e) The department shall issue a special permanent permit to any person who:

83 (1) Because of a physical disability drives a motor vehicle which has been equipped with  
84 hand controls for the operation of the vehicle's brakes and accelerator; or

85 (2) Is physically disabled due to the loss of, or loss of use of, both upper extremities.

86 This special permanent permit shall be gold in color and shall show prominently on its face  
87 an expiration date four years from the date it is issued. The expiration date shall be printed  
88 in a size of print that is legible when the permit is displayed on the driver's side of the  
89 dashboard or hung from the rearview mirror. Such a special permit shall be used in the  
90 same manner as, and shall be subject to the provisions of this Code section relating to,  
91 other permanent parking permits for persons with disabilities and shall also be used as  
92 provided in Code Section 10-1-164.1. In addition to any other required printing, the  
93 following shall be printed upon this special gold permit:

94 'Code Section 10-1-164.1 of the Official Code of Georgia Annotated requires that any  
95 owner or operator of a gasoline station that sells full-service gasoline at one price and  
96 self-service at a lower price shall provide the service of dispensing gasoline at the

97 self-service price for the holder of this special permit when such holder requests such  
98 service and is the operator of the vehicle and is not accompanied by another person 16  
99 years of age or older who is not mobility impaired or blind.'

100 (f) The department and county tag agents shall not charge or collect any fee for issuing  
101 parking permits for persons with disabilities under this Code section.

102 (g) Any special disabled person decal issued under the former provisions of this Code  
103 section shall be valid until its expiration date but shall not be reissued.

104 (h) For purposes of this Code section, an active duty military physician shall be entitled  
105 to submit an affidavit in support of the application of active duty or retired military  
106 personnel for parking permits for persons with disabilities whether or not such physician  
107 is licensed to practice in Georgia. Such affidavit shall state that the applicant is in active  
108 military service and is stationed in Georgia pursuant to military orders or is retired from  
109 the military and is a resident of Georgia and that such person is a disabled person, the  
110 specific disability that limits or impairs the person's ability to walk, and that he or she is  
111 a person with disabilities as specified in paragraph (5) of Code Section 40-6-221.

112 (i) For purposes of this Code section the department shall accept, in lieu of an affidavit,  
113 a signed and dated statement from the doctor, advanced practice registered nurse, or  
114 physician assistant which includes the same information as required in an affidavit written  
115 upon security paper as defined in paragraph (38.5) of Code Section 26-4-5."

116

## SECTION 2.

117 Chapter 34 of Title 43 of the Official Code of Georgia Annotated, relating to physicians,  
118 assistants, and others, is amended by revising subparagraph (b)(1)(B) of Code Section  
119 43-34-23, relating to delegation of authority to nurse or physician assistant, as follows:

120 "(B) A physician may delegate to those health care professionals identified in  
121 subparagraph (A) of this paragraph:

122 (i) The authority to order controlled substances selected from a formulary of such  
123 drugs established by the board and the authority to order dangerous drugs, medical  
124 treatments, and diagnostic studies;

125 (ii) The authority to request, receive, and sign for professional samples and to  
126 distribute professional samples to patients. The office or facility at which the health  
127 care professional identified in subparagraph (A) of this paragraph is working shall  
128 maintain a general list of the professional samples approved by the delegating  
129 physician for request, receipt, and distribution by the health care professional  
130 identified in subparagraph (A) of this paragraph as well as a complete list of the  
131 specific number and dosage of each professional sample and medication voucher  
132 received. Professional samples that are distributed by a health care professional  
133 identified in subparagraph (A) of this paragraph shall be so noted in the patient's  
134 medical record. In addition to the requirements of this Code section, all professional  
135 samples shall be maintained as required by applicable state and federal laws and  
136 regulations; and

137 (iii) The authority to sign, certify, and endorse all documents relating to health care  
138 provided to a patient within his or her scope of authorized practice, including, but not  
139 limited to, documents relating to physical examination forms of all state agencies and  
140 verification and evaluation forms of the Department of Human Services, the State  
141 Board of Education, local boards of education, the Department of Community Health,  
142 the Department of Revenue, and the Department of Corrections; provided, however,  
143 that a health care professional identified in subparagraph (A) of this paragraph shall  
144 not have the authority to sign death certificates or assign a percentage of a disability  
145 rating."

146

**SECTION 3.**

147 Said chapter is further amended by revising paragraph (3) of subsection (a), paragraph (3)  
148 of subsection (c), subsection (e.1), paragraph (10) of subsection (g), subsections (k) and (m),  
149 and by adding a new subsection to Code Section 43-34-25, relating to delegation of certain  
150 medical acts to advanced practice registered nurse, construction and limitations of such  
151 delegation, definitions, conditions of nurse protocol, and issuance of prescription drug orders,  
152 as follows:

153 "(3) 'Controlled substance' means any controlled substance as defined in Code Section  
154 16-13-21 but shall not include any Schedule I controlled substance included in Code  
155 Section 16-13-25 or any Schedule II controlled substance included in Code Section  
156 16-13-26, except as authorized pursuant to subsection (d.1) of this Code section."

157 "(3) Identify the parameters under which delegated acts may be performed by the  
158 advanced practice registered nurse, including without limitation the number of refills  
159 which may be ordered, the kinds of diagnostic studies which may be ordered, the extent  
160 to which radiographic imaging tests may be ordered, and the circumstances under which  
161 a prescription drug order may be executed. In the event the delegating physician  
162 authorizes the advanced practice registered nurse to order an X-ray, ultrasound, or  
163 radiographic imaging test, the nurse protocol agreement shall contain provisions whereby  
164 such X-ray, ultrasound, or radiographic imaging test shall be read and interpreted by a  
165 physician who is trained in the reading and interpretation of such tests; a report of such  
166 X-ray, ultrasound, or radiographic imaging test may be reviewed by the advanced  
167 practice registered nurse; and a copy of such report shall be forwarded to the delegating  
168 physician, except that such provision for an ultrasound shall not be required for an  
169 advanced practice registered nurse acting within his or her scope of practice as authorized  
170 by Code Sections 43-26-3 and 43-26-5. In the event the delegating physician authorizes  
171 the advanced practice registered nurse to order radiographic imaging tests, the nurse  
172 protocol agreement shall contain provisions requiring the advanced practice registered

173 nurse to notify the delegating physician of any such order as soon as possible, but in no  
174 event later than 72 hours after issuance of such order;"

175 "(d.1) An advanced practice registered nurse who has at least two years of experience may  
176 be authorized under a nurse protocol agreement to issue prescription drug orders for  
177 hydrocodone in emergency situations pursuant to the following requirements:

178 (1) The authorization is specifically included in the nurse protocol agreement;

179 (2) The advanced practice registered nurse has directly evaluated the patient;

180 (3) The patient is 18 years of age or older;

181 (4) The prescription drug order is limited to a single prescription not to exceed a  
182 three-day supply;

183 (5) The advanced practice registered nurse notifies the delegating physician of such  
184 prescription drug order issued as soon as possible, but in no event later than 72 hours of  
185 issuance; and

186 (6) The advanced practice registered nurse completes one hour of continuing education  
187 biennially in the appropriate ordering and use of hydrocodone."

188 "(e.1) Except for death certificates and assigning a percentage of a disability rating, an  
189 advanced practice registered nurse may be delegated the authority to sign, certify, and  
190 endorse all documents relating to health care provided to a patient within his or her scope  
191 of authorized practice, including, but not limited to, documents relating to physical  
192 examination forms of all state agencies and verification and evaluation forms of the  
193 Department of Human Services, the State Board of Education, local boards of education,  
194 the Department of Community Health, the Department of Revenue, and the Department of  
195 Corrections."

196 "(10) In any emergency medical services system operated by, or on behalf of, any  
197 county, municipality, or hospital authority with a full-time physician medical director and  
198 who does not order drugs, except that he or she may order up to a 14 day supply of drugs  
199 as necessary in an emergency situation, excluding Schedule II controlled substances



200 except for hydrocodone, and benzodiazepines; provided, however, that an advanced  
201 practice registered nurse shall not order radiographic imaging, diagnostic studies, or  
202 medical devices pursuant to this paragraph; and provided, further, that a patient shall be  
203 referred to a physician, a dentist, or a federally qualified health center."

204 "(k) Nothing in this Code section shall be construed to authorize an advanced practice  
205 registered nurse to issue a prescription drug order for a Schedule I or II controlled  
206 substance, except as otherwise authorized pursuant to subsection (d.1) of this Code section,  
207 or authorize refills of any drug for more than 12 months from the date of the original order  
208 except in the case of oral contraceptives, hormone replacement therapy, or prenatal  
209 vitamins which may be refilled for a period of 24 months."

210 "(m)(1) The board shall have the authority to promulgate rules and regulations governing  
211 a delegating physician in order to carry out the intents and purposes of this Code section.

212 (2)(A) Further, the board shall be authorized to:

213 (1)(i) Require that a nurse protocol agreement shall be filed by the delegating  
214 physician with the board within a reasonable time from the date of execution;

215 (2)(ii) Determine, after review of a filed nurse protocol agreement, if such nurse  
216 protocol agreement fails to meet accepted standards of medical practice as established  
217 by the board; and

218 (3)(iii) Require the delegating physician to amend any such noncompliant nurse  
219 protocol agreement in order to meet such accepted standards.

220 (B) If a delegating physician submits a nurse protocol agreement for a new advanced  
221 practice registered nurse and such nurse protocol agreement is identical to a nurse  
222 protocol agreement previously submitted by such delegating physician for another  
223 advanced practice registered nurse and approved by the board, the nurse protocol  
224 agreement for the new advanced practice registered nurse shall be automatically  
225 deemed approved by the board if the board has taken no action on the nurse protocol  
226 agreement within ten days of submittal by the delegating physician."

227

**SECTION 4.**

228 Said chapter is further amended by revising subsections (c) and (e.1) of and by adding a new  
229 subsection to Code Section 43-34-103, relating to delegation of authority to physician  
230 assistants, as follows:

231 "(c)(1) At all times while providing patient services, a physician assistant shall have a  
232 signed job description submitted by his or her primary supervising physician and  
233 approved by the board.

234 (2) Nothing in this article shall prevent a primary supervising physician from submitting  
235 to the board a new or amended physician assistant job description.

236 (3) If a primary supervising physician submits a job description for a new physician  
237 assistant and such job description is identical to a job description previously submitted  
238 by such primary supervising physician for another physician assistant and approved by  
239 the board, the job description for the new physician assistant shall be automatically  
240 deemed approved by the board if the board has taken no action on the job description  
241 within ten days of submittal by the primary supervising physician."

242 "(e.1)(1)(A) In addition to and without limiting the authority granted by Code Section  
243 43-34-23, a physician may delegate to a physician assistant, in accordance with a job  
244 description, the authority to issue a prescription drug order or orders for any device as  
245 defined in Code Section 26-4-5 or to issue any dangerous drug as defined in Code  
246 Section 16-13-71, hydrocodone in accordance with subparagraph (B) of this paragraph,  
247 or any Schedule III, IV, or V controlled substance as defined in Code Section 16-13-21  
248 on a prescription drug order or prescription device order form as specified in  
249 paragraph (3) of this subsection. Delegation of such authority shall be contained in the  
250 job description required by this Code section. The delegating physician shall remain  
251 responsible for the medical acts of the physician assistant performing such delegated  
252 acts and shall adequately supervise the physician assistant. If an existing job  
253 description for a physician assistant does not contain such authority to order a

254 prescription drug or device order as provided by this subsection, that physician assistant  
255 may not issue any such prescription drug or device order until a new job description  
256 delegating such authority is submitted to and approved by the board. Nothing in this  
257 Code section shall be construed to authorize the written prescription drug order of a  
258 Schedule I or II controlled substance, except for hydrocodone in accordance with  
259 subparagraph (B) of this paragraph.

260 (B) A physician may delegate to a physician assistant who has at least two years of  
261 experience the authority to issue prescription drug orders for hydrocodone in  
262 emergency situations pursuant to the following requirements:

263 (i) The authorization is specifically included in the job description;

264 (ii) The physician assistant has directly evaluated the patient;

265 (iii) The patient is 18 years of age or older;

266 (iv) The drug order is limited to a single prescription not to exceed a three-day  
267 supply; and

268 (v) The physician assistant notifies the supervising physician of such prescription  
269 drug order issued as soon as possible, but in no event later than 72 hours of issuance.

270 (2) Nothing in this subsection shall be construed to create a presumption of liability,  
271 either civil or criminal, on the part of a pharmacist who is duly licensed under Title 26  
272 and who in good faith fills a prescription drug or device order presented by a patient  
273 pursuant to this subsection. The pharmacist shall presume that the prescription drug or  
274 device order was issued by a physician assistant duly licensed under this article who has  
275 qualified under this Code section to prescribe pharmaceutical agents. The pharmacist  
276 shall also presume that the pharmaceutical agent prescribed by the physician assistant is  
277 an approved pharmaceutical agent, unless the pharmacist has actual or constructive  
278 knowledge to the contrary.

279 (3) The physician assistant shall only be authorized to exercise the rights granted under  
280 this subsection using a prescription drug or device order form which includes the name,

281 address, and telephone number of the prescribing supervising or alternate supervising  
282 physician, the patient's name and address, the drug or device prescribed, the number of  
283 refills, and directions to the patient with regard to the taking and dosage of the drug. A  
284 prescription drug order which is transmitted either electronically or via facsimile shall  
285 conform to the requirements set out in paragraphs (1) and (2) of subsection (c) of Code  
286 Section 26-4-80, respectively. Any form containing less information than that described  
287 in this paragraph shall not be offered to or accepted by any pharmacist who is duly  
288 licensed under Title 26.

289 (4) Nothing in this Code section shall be construed to authorize a physician assistant to  
290 authorize refills of any drug for more than 12 months from the date of the original  
291 prescription drug or device order.

292 (5) A supervising physician or alternate supervising physician shall evaluate or examine,  
293 at least every three months, any patient receiving controlled substances.

294 (6) In addition to the copy of the prescription drug or device order delivered to the  
295 patient, a record of such prescription shall be maintained in the patient's medical record  
296 in the following manner:

297 (A) The physician assistant carrying out a prescription drug or device order shall  
298 document such order either in writing or by electronic means; and

299 (B) The supervising physician shall periodically review patient records. Such review  
300 may be achieved with a sampling of such records as determined by the supervising  
301 physician.

302 (7) A physician assistant is not permitted to prescribe drugs or devices except as  
303 authorized in the physician assistant's job description and in accordance with this article.

304 (8) The board shall adopt rules establishing procedures to evaluate an application for a  
305 job description containing the authority to order a prescription drug or device and any  
306 other rules the board deems necessary or appropriate to regulate the practice of physician

307 assistants, to carry out the intent and purpose of this article, or to protect the public  
308 welfare.

309 (9) A physician assistant authorized by a primary supervising physician to order  
310 controlled substances pursuant to this Code section is authorized to register with the  
311 federal Drug Enforcement Administration.

312 (10)(A) A physician assistant delegated the authority by the primary supervising  
313 physician to issue a prescription drug or device order shall be required to complete a  
314 minimum of three hours of continuing education biennially in practice specific  
315 pharmaceuticals in which the physician assistant has prescriptive order privileges.

316 (B) A physician assistant delegated the authority by the primary supervising physician  
317 to issue a prescription drug or device order for hydrocodone shall be required to  
318 complete one additional hour of continuing education biennially in the appropriate  
319 ordering and use of hydrocodone.

320 (11) A managed care system, health plan, hospital, insurance company, or other similar  
321 entity shall not require a physician to be a party to a job description as a condition for  
322 participation in or reimbursement from such entity."

323 "(e.3) In the event the supervising physician authorizes the physician assistant to order  
324 radiographic imaging tests, the job description shall contain provisions requiring the  
325 physician assistant to notify the supervising physician of any such order as soon as  
326 possible, but in no event later than 72 hours after issuance of such order."

327

## SECTION 5.

328 All laws and parts of laws in conflict with this Act are repealed.