

1 A bill to be entitled
 2 An act relating to pharmacy; amending s. 465.003,
 3 F.S.; revising a definition; amending s. 465.0125,
 4 F.S.; providing licensure requirements for and
 5 revising responsibilities of consultant pharmacists;
 6 providing a definition; providing an effective date.

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 8 Be It Enacted by the Legislature of the State of Florida:

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 10 Section 1. Subsection (13) of section 465.003, Florida
 11 Statutes, is amended to read:

12 465.003 Definitions.—As used in this chapter, the term:
 13 (13) "Practice of the profession of pharmacy" includes
 14 compounding, dispensing, and consulting concerning contents,
 15 therapeutic values, and uses of any medicinal drug; consulting
 16 concerning therapeutic values and interactions of patent or
 17 proprietary preparations, whether pursuant to prescriptions or
 18 in the absence and entirely independent of such prescriptions or
 19 orders; and other pharmaceutical services. For purposes of this
 20 subsection, "other pharmaceutical services" means the monitoring
 21 of the patient's drug therapy and assisting the patient in the
 22 management of his or her drug therapy, and includes review and
 23 recommendations made pursuant to ~~of the patient's drug therapy~~
 24 ~~and~~ communication with the patient's prescribing health care
 25 provider as licensed under chapter 458, chapter 459, chapter

26 | 461, or chapter 466, or similar statutory provision in another
27 | jurisdiction, or such provider's agent or such other persons as
28 | specifically authorized by the patient, regarding the patient's
29 | drug therapy and health care status. However, nothing in this
30 | subsection may be interpreted to permit an alteration of a
31 | prescriber's directions, the diagnosis or treatment of any
32 | disease, the initiation of any drug therapy, the practice of
33 | medicine, or the practice of osteopathic medicine, unless
34 | otherwise permitted by law. "Practice of the profession of
35 | pharmacy" also includes any other act, service, operation,
36 | research, or transaction incidental to, or forming a part of,
37 | any of the foregoing acts, requiring, involving, or employing
38 | the science or art of any branch of the pharmaceutical
39 | profession, study, or training, and shall expressly permit a
40 | pharmacist to transmit information from persons authorized to
41 | prescribe medicinal drugs to their patients. The practice of the
42 | profession of pharmacy also includes the administration of
43 | vaccines to adults pursuant to s. 465.189. The practice of the
44 | profession of pharmacy also includes the ordering and evaluating
45 | of any laboratory or clinical testing, conducting patient
46 | assessments, and administering, initiating, modifying, or
47 | discontinuing medicinal drugs pursuant to s. 465.0125.

48 | Section 2. Section 465.0125, Florida Statutes, is amended
49 | to read:

50 | 465.0125 Consultant pharmacist license; application,

51 renewal, fees; responsibilities; rules.—

52 (1) The department shall issue or renew a consultant
53 pharmacist license upon receipt of an initial or renewal
54 application which conforms to the requirements for consultant
55 pharmacist initial licensure or renewal as promulgated by the
56 board by rule and a fee set by the board not to exceed \$250. In
57 order to be licensed as a consultant pharmacist, a pharmacist
58 licensed under this chapter must complete additional training as
59 required by the board.

60 (a) A consultant pharmacist may provide comprehensive
61 medication management services within collaborative practice
62 agreements between such pharmacist and a health care facility
63 medical director or individual health care practitioner
64 authorized by law, or similar statutory provision in another
65 jurisdiction, to prescribe medicinal drugs. Such services may
66 include:

67 1. Ordering and evaluating any laboratory or clinical
68 testing for the promotion and evaluation of patient health and
69 wellness, and monitoring medication therapy and treatment
70 outcomes.

71 2. Conducting patient assessments, as appropriate, to
72 evaluate and monitor drug therapy.

73 3. Initiating, modifying, or discontinuing medicinal drugs
74 as outlined in the agreed upon patient-specific order or
75 treatment protocol. A consultant pharmacist may not modify or

76 discontinue medicinal drugs prescribed by a health care
 77 practitioner who does not have a collaborative practice
 78 agreement with the consultant pharmacist.

79 4. Administering medicinal drugs.

80 (b) A ~~The consultant pharmacist is shall be~~ responsible
 81 for maintaining all drug, patient care, and quality assurance
 82 records as required by law. A consultant pharmacist, along with
 83 a collaborating practitioner, is also responsible for
 84 maintaining collaborative practice agreements and making such
 85 agreements available upon request or inspection.

86 (c) For purposes of this subsection, the term "health care
 87 facility" means an ambulatory surgical center licensed under
 88 chapter 395, a hospice licensed under part IV of chapter 400, a
 89 nursing home licensed under part II of chapter 400, a hospital
 90 licensed under chapter 395, a home health agency licensed under
 91 part III of chapter 400, an alcohol or chemical dependency
 92 treatment center licensed under chapter 397, an ambulatory care
 93 center as defined in s. 408.07, or a nursing home component
 94 under chapter 400 within a continuing care facility licensed
 95 under chapter 651. ~~records required by law and for establishing~~
 96 ~~drug handling procedures for the safe handling and storage of~~
 97 ~~drugs. The consultant pharmacist may also be responsible for~~
 98 ~~ordering and evaluating any laboratory or clinical testing when,~~
 99 ~~in the judgment of the consultant pharmacist, such activity is~~
 100 ~~necessary for the proper performance of the consultant~~

101 ~~pharmacist's responsibilities. Such laboratory or clinical~~
102 ~~testing may be ordered only with regard to patients residing in~~
103 ~~a nursing home facility, and then only when authorized by the~~
104 ~~medical director of the nursing home facility. The consultant~~
105 ~~pharmacist must have completed such additional training and~~
106 ~~demonstrate such additional qualifications in the practice of~~
107 ~~institutional pharmacy as shall be required by the board in~~
108 ~~addition to licensure as a registered pharmacist.~~

109 ~~(2) Notwithstanding the provisions of subsection (1), a~~
110 ~~consultant pharmacist or a doctor of pharmacy licensed in this~~
111 ~~state may also be responsible for ordering and evaluating any~~
112 ~~laboratory or clinical testing for persons under the care of a~~
113 ~~licensed home health agency when, in the judgment of the~~
114 ~~consultant pharmacist or doctor of pharmacy, such activity is~~
115 ~~necessary for the proper performance of his or her~~
116 ~~responsibilities and only when authorized by a practitioner~~
117 ~~licensed under chapter 458, chapter 459, chapter 461, or chapter~~
118 ~~466. In order for the consultant pharmacist or doctor of~~
119 ~~pharmacy to qualify and accept this authority, he or she must~~
120 ~~receive 3 hours of continuing education relating to laboratory~~
121 ~~and clinical testing as established by the board.~~

122 ~~(2)~~(3) The board shall adopt ~~promulgate~~ rules necessary to
123 implement and administer this section.

124 Section 3. This act shall take effect July 1, 2018.