

hbd-21

Bill No. CS/HB 3179

Amendment No. ____ (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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ORIGINAL STAMP BELOW

Representative(s) Kelly offered the following:

Amendment (with title amendment)

On page 1, line 23, through page 2, line 2,
remove from the bill: all of said lines

and insert in lieu thereof:

Section 1. Subsection (12) of section 465.003, Florida Statutes, is amended, subsections (4) through (14) are renumbered as subsections (5) through (15), respectively, and a new subsection (4) is added to said section, to read:

465.003 Definitions.--As used in this chapter, the term:

(4) "Data communication device" means an electronic device that receives electronic information from one source and transmits or routes it to another, including, but not limited to, any such bridge, router, switch, or gateway.

(13)(12) "Practice of the profession of pharmacy" includes compounding, dispensing, and consulting concerning contents, therapeutic values, and uses of any medicinal drug; and consulting concerning therapeutic values and interactions

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1 of patent or proprietary preparations, whether pursuant to
2 prescriptions or in the absence and entirely independent of
3 such prescriptions or orders; and other pharmaceutical
4 services. For purposes of this subsection, "other
5 pharmaceutical services" means the evaluation and monitoring
6 of the patient's health as it relates to drug therapy and
7 assisting the patient in the management of his or her drug
8 therapy, and includes the assessment of the patient's drug
9 therapy and communication with the patient and the patient's
10 prescribing health care provider as licensed under chapter
11 458, chapter 459, chapter 461, or chapter 466, or similar
12 statutory provision in another jurisdiction, or such
13 provider's agent or such other persons as specifically
14 authorized by the patient, regarding the drug therapy.
15 "Practice of the profession of pharmacy"~~The phrase~~ also
16 includes any other act, service, operation, research, or
17 transaction incidental to, or forming a part of, any of the
18 foregoing acts, requiring, involving, or employing the science
19 or art of any branch of the pharmaceutical profession, study,
20 or training, and shall expressly permit a pharmacist to
21 transmit information from persons authorized to prescribe
22 medicinal drugs to their patients. In addition to the
23 authority to order and dispense medicinal drugs independently
24 of an established protocol as set forth in s. 465.186, a
25 pharmacist may also administer immunizations within the
26 framework of an established protocol under a supervisory
27 practitioner who is a physician licensed under chapter 458 or
28 chapter 459 or by written agreement with a county health
29 department. The decision by a supervisory practitioner to
30 enter into such a protocol is a professional decision of the
31 practitioner, and no person may interfere with a supervisory

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1 practitioner's decision as to whether to enter into such a
2 protocol. A pharmacist may not enter into a protocol that is
3 to be performed while acting as an employee without the
4 written approval of the owner of the pharmacy.

5 Section 2. Paragraph (1) of subsection (1) of section
6 465.016, Florida Statutes, is amended to read:

7 465.016 Disciplinary actions.--

8 (1) The following acts shall be grounds for
9 disciplinary action set forth in this section:

10 (1) Placing in the stock of any pharmacy any part of
11 any prescription compounded or dispensed which is returned by
12 a patient; however, in a hospital, nursing home, correctional
13 facility, or extended care facility in which unit-dose
14 medication is dispensed to inpatients, each dose being
15 individually sealed and the individual unit dose or unit-dose
16 system labeled with the name of the drug, dosage strength,
17 manufacturer's control number, and expiration date, if any,
18 the unused unit dose of medication may be returned to the
19 pharmacy for redispensing. Each pharmacist shall maintain
20 appropriate records for any unused or returned medicinal
21 drugs.

22
23
24 ===== T I T L E A M E N D M E N T =====

25 And the title is amended as follows:

26 On page 1, line 4,
27 remove from the title of the bill: all of said line
28
29 and insert in lieu thereof:
30 communication device"; revising the definition
31 of the term "practice of the profession of

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pharmacy"; amending s. 465.016, F.S.;
authorizing the redispensing of unused or
returned unit-dose medication by correctional
facilities under certain conditions; amending
s. 465.017,