

dhs-21

Bill No. CS/HB 287

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

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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4		.	

ORIGINAL STAMP BELOW

11 Representative(s) Johnson offered the following:

13 **Amendment to Amendment (950117) (with title amendment)**

14 On page 5, line 30, through page 6, line 5,
15 remove from the amendment: all of said lines

17 and insert in lieu thereof:

18 Section 7. Paragraph (c) of subsection (2) of section
19 465.015, Florida Statutes, is amended, present subsection (4)
20 of said section is renumbered as subsection (5) and amended,
21 and a new subsection (4) is added to said section, to read:

22 465.015 Violations and penalties.--

23 (2) It is unlawful for any person:

24 (c) To sell or dispense drugs as defined in s.
25 465.003(8)(7)without first being furnished with a
26 prescription.

27 (4) It is unlawful for records maintained by a
28 pharmacy relating to the filling of prescriptions and the
29 dispensing of medicinal drugs, if transmitted through a data
30 communication device not under the control or ownership of a
31 pharmacy or affiliated company or not directly between a

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1 pharmacy and a treating practitioner, to be accessed, used, or
2 maintained by the operator or owner of the data communication
3 device unless specifically authorized by s. 465.017.

4 (5)(4) Any person who violates any provision of
5 subsection (1), or subsection (3), or subsection (4) is guilty
6 of a misdemeanor of the first degree, punishable as provided
7 in s. 775.082 or s. 775.083. Any person who violates any
8 provision of subsection (2) is guilty of a felony of the third
9 degree, punishable as provided in s. 775.082, s. 775.083, or
10 s. 775.084. In any warrant, information, or indictment, it
11 shall not be necessary to negative any exceptions, and the
12 burden of any exception shall be upon the defendant.

13
14
15 ===== T I T L E A M E N D M E N T =====

16 And the title is amended as follows:

17 On page 13, lines 5-6, of the amendment
18 remove: all of said lines

19
20 and insert in lieu thereof:

21 communication device; amending s. 465.015,
22 F.S.; providing penalties for unauthorized use
23 of pharmacy records when transmitted through a
24 data communication device; conforming cross
25 references; amending ss. 465.014, 465.0196,
26 468.812, and 499.003, F.S.;