

Bill No. SB 370
Amendment No. ____

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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11	Senator Myers moved the following amendment:		
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13	Senate Amendment (with title amendment)		
14	On page 1, between lines 25 and 26,		
15			
16	insert:		
17	Section 2. Subsection (8) of section 465.025, Florida		
18	Statutes, is amended to read:		
19	465.025 Substitution of drugs.--		
20	(8) The standard of care to be applied to the acts of		
21	any pharmacist performing professional services in compliance		
22	with this section when a substitution is made by said		
23	pharmacist shall be that which would apply to the performance		
24	of professional services in the dispensing of a prescription		
25	order prescribing a drug by generic name. In no event when a		
26	pharmacist substitutes a drug shall the prescriber,		
27	<u>manufacturer of the drug, or hospital or nursing home, for</u>		
28	<u>facility-based pharmacies,</u> be liable in any action for loss,		
29	damage, injury, or death to any person occasioned by or		
30	arising from the use or nonuse of the substituted drug, unless		
31	the original drug was incorrectly prescribed.		

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(Redesignate subsequent sections.)

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

On page 1, line 6, after the semicolon,

insert:

amending s. 465.025, F.S.; expanding the
immunity from liability which is provided with
respect to the use or nonuse of substituted
drugs;