

By Senator Bennett

34-1433-04

1 A bill to be entitled
2 An act relating to pharmacy practice; amending
3 s. 465.003, F.S.; revising the definition of
4 the term "practice of the profession of
5 pharmacy" to include the administering of
6 immunizations by a pharmacist within the
7 framework of an established protocol under a
8 supervisory practitioner who is a licensed
9 physician or by written agreement with a county
10 health department; requiring professional
11 liability insurance, training in immunization,
12 and employer approval prior to entering into a
13 protocol; providing an effective date.

14
15 Be It Enacted by the Legislature of the State of Florida:

16
17 Section 1. Subsection (13) of section 465.003, Florida
18 Statutes, is amended to read:

19 465.003 Definitions.--As used in this chapter, the
20 term:

21 (13) "Practice of the profession of pharmacy" includes
22 compounding, dispensing, and consulting concerning contents,
23 therapeutic values, and uses of any medicinal drug; consulting
24 concerning therapeutic values and interactions of patent or
25 proprietary preparations, whether pursuant to prescriptions or
26 in the absence and entirely independent of such prescriptions
27 or orders; and other pharmaceutical services. For purposes of
28 this subsection, "other pharmaceutical services" means the
29 monitoring of the patient's drug therapy and assisting the
30 patient in the management of his or her drug therapy, and
31 includes review of the patient's drug therapy and

1 communication with the patient's prescribing health care
2 provider as licensed under chapter 458, chapter 459, chapter
3 461, or chapter 466, or similar statutory provision in another
4 jurisdiction, or such provider's agent or such other persons
5 as specifically authorized by the patient, regarding the drug
6 therapy. However, nothing in this subsection may be
7 interpreted to permit an alteration of a prescriber's
8 directions, the diagnosis or treatment of any disease, the
9 initiation of any drug therapy, the practice of medicine, or
10 the practice of osteopathic medicine, unless otherwise
11 permitted by law. "Practice of the profession of pharmacy"
12 also includes any other act, service, operation, research, or
13 transaction incidental to, or forming a part of, any of the
14 foregoing acts, requiring, involving, or employing the science
15 or art of any branch of the pharmaceutical profession, study,
16 or training, and shall expressly permit a pharmacist to
17 transmit information from persons authorized to prescribe
18 medicinal drugs to their patients. "Practice of the profession
19 of pharmacy" also includes the administering of immunizations
20 by a pharmacist within the framework of an established
21 protocol under a supervisory practitioner who is a physician
22 licensed under chapter 458 or chapter 459 or by written
23 agreement with a county health department. Each protocol must
24 contain specific procedures to address any unforeseen allergic
25 reaction to an immunization. A pharmacist may not enter into a
26 protocol unless he or she maintains at least \$200,000 of
27 professional liability insurance and not until the pharmacist
28 has completed training in immunizations as required by the
29 board. The decision by a supervisory practitioner to enter
30 into such a protocol is a professional decision of the
31 practitioner, and no person may interfere with a supervisory

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. This act shall take effect July 1, 2004.

6
7 *****

8 SENATE SUMMARY

9 Revises the definition of the term "practice of the
10 profession of pharmacy" to include the administering of
11 immunizations by a pharmacist within the framework of an
12 established protocol under a supervisory practitioner who
13 is a licensed physician or by written agreement with a
14 county health department. Requires professional liability
15 insurance, training in immunization, and employer
16 approval prior to entering into a protocol.
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31