

By the Committee on Health, Aging, and Long-Term Care; and  
Senator Bennett

317-2417-04

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

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

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

22           465.003 Definitions.--As used in this chapter, the  
23 term:

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

1 monitoring of the patient's drug therapy and assisting the  
2 patient in the management of his or her drug therapy, and  
3 includes review of the patient's drug therapy and  
4 communication with the patient's prescribing health care  
5 provider as licensed under chapter 458, chapter 459, chapter  
6 461, or chapter 466, or similar statutory provision in another  
7 jurisdiction, or such provider's agent or such other persons  
8 as specifically authorized by the patient, regarding the drug  
9 therapy. However, nothing in this subsection may be  
10 interpreted to permit an alteration of a prescriber's  
11 directions, the diagnosis or treatment of any disease, the  
12 initiation of any drug therapy, the practice of medicine, or  
13 the practice of osteopathic medicine, unless otherwise  
14 permitted by law. "Practice of the profession of pharmacy"  
15 also includes any other act, service, operation, research, or  
16 transaction incidental to, or forming a part of, any of the  
17 foregoing acts, requiring, involving, or employing the science  
18 or art of any branch of the pharmaceutical profession, study,  
19 or training, and shall expressly permit a pharmacist to  
20 transmit information from persons authorized to prescribe  
21 medicinal drugs to their patients. "Practice of the profession  
22 of pharmacy" also includes the administering to adults of  
23 influenza virus immunizations by a pharmacist within the  
24 framework of an established protocol under a supervisory  
25 practitioner who is a physician licensed under chapter 458 or  
26 chapter 459 or by written agreement with a county health  
27 department. Each protocol must contain specific procedures to  
28 address any unforeseen allergic reaction to an immunization. A  
29 pharmacist may not enter into a protocol unless he or she  
30 maintains at least \$200,000 of professional liability  
31 insurance and not until the pharmacist has completed training

1 in immunizations as provided in this subsection. The decision  
2 by a supervisory practitioner to enter into such a protocol is  
3 a professional decision of the practitioner, and a person may  
4 not interfere with a supervisory practitioner's decision as to  
5 whether to enter into such a protocol. A pharmacist may not  
6 enter into a protocol that is to be performed while acting as  
7 an employee without the written approval of the owner of the  
8 pharmacy. Any pharmacist seeking to immunize patients under  
9 this subsection must be certified to administer immunizations  
10 pursuant to a certification program approved by the Board of  
11 Pharmacy upon consultation with the Board of Medicine. The  
12 certification program must, at a minimum, require that a  
13 pharmacist attend at least 20 hours of continuing education  
14 classes approved by the Board of Pharmacy. The program must  
15 have a curriculum of instruction concerning the safe and  
16 effective administration of immunizations, including, but not  
17 limited to, potential allergic reactions to immunizations.

18 Section 2. This act shall take effect July 1, 2004.

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20 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
21 COMMITTEE SUBSTITUTE FOR  
22 Senate Bill 2716

23 The committee substitute limits the immunizations that a  
24 pharmacist may administer to influenza virus immunizations to  
25 adults, within an established protocol. The bill revises the  
26 training requirements for a pharmacist to administer influenza  
27 virus immunizations to adults. The Board of Pharmacy in  
28 consultation with the Board of Medicine is authorized to  
29 approve a certification program for pharmacists to immunize  
30 patients, which must require at least 20 hours of continuing  
31 education.