

1 A bill to be entitled
 2 An act relating to pharmacy technicians; amending s.
 3 465.014, F.S.; allowing pharmacy technicians to initiate
 4 or receive requests for original prescriptions when
 5 dispensing for nonhuman use, under certain circumstances;
 6 requiring the Board of Pharmacy to establish certain
 7 guidelines on the supervision of pharmacy technicians
 8 dispensing for nonhuman use; amending s. 465.035, F.S.;
 9 providing an exception to a provision for facsimile of
 10 prescriptions for cases of dispensing for nonhuman use;
 11 providing an effective date.

12
 13 Be It Enacted by the Legislature of the State of Florida:

14
 15 Section 1. Section 465.014, Florida Statutes, is amended
 16 to read:

17 465.014 Pharmacy technician.--No person other than a
 18 licensed pharmacist or pharmacy intern may engage in the
 19 practice of the profession of pharmacy, except that a licensed
 20 pharmacist may delegate to nonlicensed pharmacy technicians
 21 those duties, tasks, and functions which do not fall within the
 22 purview of s. 465.003(13). All such delegated acts shall be
 23 performed under the direct supervision of a licensed pharmacist
 24 who shall be responsible for all such acts performed by persons
 25 under his or her supervision. A pharmacy technician, under the
 26 supervision of a pharmacist, may initiate or receive
 27 communications with a practitioner or his or her agent, on
 28 behalf of a patient, regarding refill authorization requests. A

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

29 pharmacy technician, under the supervision of a pharmacist, may
 30 initiate or receive requests for original prescriptions when
 31 dispensing for nonhuman use. No licensed pharmacist shall
 32 supervise more than one pharmacy technician unless otherwise
 33 permitted by the guidelines adopted by the board. The board
 34 shall establish guidelines to be followed by licensees or
 35 permittees in determining the circumstances under which a
 36 licensed pharmacist may supervise more than one but not more
 37 than three pharmacy technicians. However, a licensed pharmacist
 38 may not supervise more than seven pharmacy technicians when they
 39 dispense for nonhuman use.

40 Section 2. Paragraph (b) of subsection (1) of section
 41 465.035, Florida Statutes, is amended to read:

42 465.035 Dispensing of medicinal drugs pursuant to
 43 facsimile of prescription.--

44 (1) Notwithstanding any other provision of this chapter,
 45 it is lawful for a pharmacy to dispense medicinal drugs,
 46 including controlled substances authorized under subsection (2),
 47 based on reception of an electronic facsimile of the original
 48 prescription if all of the following conditions are met:

49 (b) Except in the case of the transmission of a
 50 prescription by a person authorized by law to prescribe
 51 medicinal drugs and except in the case of dispensing for
 52 nonhuman use:

53 1. The facsimile system making the transmission provides
 54 the pharmacy receiving the transmission with audio communication
 55 via telephonic, electronic, or similar means with the person
 56 presenting the prescription.

HB 1107

2005

57 2. At the time of the delivery of the medicinal drugs, the
58 pharmacy has in its possession the original prescription for the
59 medicinal drug involved.

60 3. The recipient of the prescription shall sign a log and
61 shall indicate the name and address of both the recipient and
62 the patient for whom the medicinal drug was prescribed.

63 Section 3. This act shall take effect upon becoming a law.