

Bill No. CS for SB 1180, 1st Eng.

Barcode 181832

CHAMBER ACTION

Senate

House

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

1/AD/3R
05/03/2005 04:01 PM

.
. .
. .
. .
. .
. .

Senator Bennett moved the following amendment:

Senate Amendment (with title amendment)

On page 6, between lines 3 and 4,

insert:

Section 6. Subsection (13) of section 465.003, Florida Statutes, is amended to read:

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

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

Bill No. CS for SB 1180, 1st Eng.

Barcode 181832

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 to adults of
20 influenza virus immunizations by a pharmacist within the
21 framework of an established protocol under a supervisory
22 practitioner who is a physician licensed under chapter 458 or
23 chapter 459 or by written agreement with a county health
24 department. Each protocol must contain specific procedures to
25 address any unforeseen allergic reaction to an immunization. A
26 pharmacist may not enter into a protocol unless he or she
27 maintains at least \$200,000 of professional liability
28 insurance and not until the pharmacist has completed training
29 in immunizations as provided in this subsection. A pharmacist
30 administering an influenza vaccine shall maintain and make
31 available patient records using the same standards for

Bill No. CS for SB 1180, 1st Eng.

Barcode 181832

1 confidentiality and maintenance of such records as those that
2 are imposed on health care practitioners by s. 456.057. These
3 records must be maintained for a minimum of 5 years. The
4 decision by a supervisory practitioner to enter into such a
5 protocol is a professional decision of the practitioner, and a
6 person may not interfere with a supervisory practitioner's
7 decision as to whether to enter into such a protocol. A
8 pharmacist may not enter into a protocol that is to be
9 performed while acting as an employee without the written
10 approval of the owner of the pharmacy. Any pharmacist seeking
11 to immunize patients under this subsection must be certified
12 to administer immunizations pursuant to a certification
13 program approved by the Board of Pharmacy upon consultation
14 with the Board of Medicine. The certification program must, at
15 a minimum, require that a pharmacist attend at least 20 hours
16 of continuing education classes approved by the Board of
17 Pharmacy. The program must have a curriculum of instruction
18 concerning the safe and effective administration of
19 immunizations, including, but not limited to, potential
20 allergic reactions to immunizations. The certification to
21 perform inactivated influenza vaccinations shall include, but
22 need not be limited to, the following compliance criteria:

23 (a) Compliance with all provisions of s. 381.003
24 relating to communicable disease and AIDS prevention and
25 control;

26 (b) Compliance with all provisions of s. 381.0031
27 relating to reporting of diseases of public health
28 significance to the department;

29 (c) Compliance with all provisions of s. 381.0098
30 relating to biomedical waste;

31 (d) Compliance with all Occupational Safety and Health

Bill No. CS for SB 1180, 1st Eng.

Barcode 181832

1 Administration standards for management, handling, and
2 disposal of sharps; and

3 (e) Completion of and compliance with the Centers for
4 Disease Control Influenza Update for the year in which
5 influenza vaccinations will be offered.

6
7 The pharmacist's certification must be obtained prior to
8 advertising to the public and administering inactivated
9 influenza vaccinations. The pharmacist shall submit to the
10 Board of Pharmacy a copy of the protocol or written agreement
11 to administer inactivated influenza vaccine.

12
13
14 ===== T I T L E A M E N D M E N T =====

15 And the title is amended as follows:

16 On page 1, line 22, after the semicolon,

17
18 insert:

19 amending s. 465.003, F.S.; redefining the term
20 "practice of the profession of pharmacy" to
21 include the administering of influenza virus
22 immunizations to adults by a pharmacist within
23 an established protocol and under a supervisory
24 practitioner who is a licensed physician or by
25 written agreement with a county health
26 department; providing requirements for the
27 protocol; requiring professional liability
28 insurance, training and certification in
29 immunization, and employer approval before
30 entering into a protocol; requiring a
31 pharmacist to maintain and make available

Bill No. CS for SB 1180, 1st Eng.

Barcode 181832

1 patient records for a certain time period;
2 providing requirements for the certification
3 program;

4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31