

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

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

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

29 management of his or her drug therapy, and includes review of  
30 the patient's drug therapy and communication with the patient's  
31 prescribing health care provider as licensed under chapter 458,  
32 chapter 459, chapter 461, or chapter 466, or similar statutory  
33 provision in another jurisdiction, or such provider's agent or  
34 such other persons as specifically authorized by the patient,  
35 regarding the drug therapy. However, nothing in this subsection  
36 may be interpreted to permit an alteration of a prescriber's  
37 directions, the diagnosis or treatment of any disease, the  
38 initiation of any drug therapy, the practice of medicine, or the  
39 practice of osteopathic medicine, unless otherwise permitted by  
40 law. "Practice of the profession of pharmacy" also includes any  
41 other act, service, operation, research, or transaction  
42 incidental to, or forming a part of, any of the foregoing acts,  
43 requiring, involving, or employing the science or art of any  
44 branch of the pharmaceutical profession, study, or training, and  
45 shall expressly permit a pharmacist to transmit information from  
46 persons authorized to prescribe medicinal drugs to their  
47 patients. "Practice of the profession of pharmacy" also includes  
48 the administering to adults of influenza virus immunizations by  
49 a pharmacist within the framework of an established protocol  
50 under a supervisory practitioner who is a physician licensed  
51 under chapter 458 or chapter 459 or pursuant to a written  
52 agreement between the pharmacist and a county health department.  
53 Each protocol must contain specific procedures to address any  
54 unforeseen allergic reaction to an immunization. A pharmacist  
55 may not enter into a protocol unless he or she maintains at  
56 least \$200,000 of professional liability insurance and not until

57 the pharmacist has completed training in immunizations as  
58 provided in this subsection. The decision by a supervisory  
59 practitioner to enter into such a protocol is a professional  
60 decision of the practitioner, and a person may not interfere  
61 with a supervisory practitioner's decision as to whether to  
62 enter into such a protocol. A pharmacist may not enter into a  
63 protocol that is to be performed while acting as an employee  
64 without the written approval of the owner of the pharmacy. Any  
65 pharmacist seeking to immunize patients under this subsection  
66 must be certified to administer immunizations pursuant to a  
67 certification program approved by the Board of Pharmacy upon  
68 consultation with the Board of Medicine. The certification  
69 program must, at a minimum, require that a pharmacist attend at  
70 least 20 hours of continuing education classes approved by the  
71 Board of Pharmacy. The program must have a curriculum of  
72 instruction concerning the safe and effective administration of  
73 immunizations, including, but not limited to, potential allergic  
74 reactions to immunizations.

75 Section 2. This act shall take effect July 1, 2005.