

CHAMBER ACTION

1 The Health Care Regulation Committee recommends the following:

2
3 **Council/Committee Substitute**

4 Remove the entire bill and insert:

5 A bill to be entitled

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

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

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

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

HB 1557

2005
CS

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 or
30 orders; and other pharmaceutical services. For purposes of this
31 subsection, "other pharmaceutical services" means the monitoring
32 of the patient's drug therapy and assisting the patient in the
33 management of his or her drug therapy, and includes review of
34 the patient's drug therapy and communication with the patient's
35 prescribing health care provider as licensed under chapter 458,
36 chapter 459, chapter 461, or chapter 466, or similar statutory
37 provision in another jurisdiction, or such provider's agent or
38 such other persons as specifically authorized by the patient,
39 regarding the drug therapy. However, nothing in this subsection
40 may be interpreted to permit an alteration of a prescriber's
41 directions, the diagnosis or treatment of any disease, the
42 initiation of any drug therapy, the practice of medicine, or the
43 practice of osteopathic medicine, unless otherwise permitted by
44 law. "Practice of the profession of pharmacy" also includes any
45 other act, service, operation, research, or transaction
46 incidental to, or forming a part of, any of the foregoing acts,
47 requiring, involving, or employing the science or art of any
48 branch of the pharmaceutical profession, study, or training, and
49 shall expressly permit a pharmacist to transmit information from
50 persons authorized to prescribe medicinal drugs to their
51 patients. "Practice of the profession of pharmacy" also includes

Page 2 of 4

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

hb1557-01-c1

HB 1557

2005
CS

52 the administering to adults of influenza virus immunizations by
53 a pharmacist within the framework of an established protocol
54 under a supervisory practitioner who is a physician licensed
55 under chapter 458 or chapter 459 or pursuant to a written
56 agreement between the pharmacist and a county health department.
57 Each protocol must contain specific procedures to address any
58 unforeseen allergic reaction to an immunization and must require
59 that the patient has had a physical examination by his or her
60 licensed primary physician within the 6 months preceding the
61 date of immunization. A pharmacist may not enter into a protocol
62 unless he or she maintains at least \$200,000 of professional
63 liability insurance and not until the pharmacist has completed
64 training in immunizations as provided in this subsection. The
65 decision by a supervisory practitioner to enter into such a
66 protocol is a professional decision of the practitioner, and a
67 person may not interfere with a supervisory practitioner's
68 decision as to whether to enter into such a protocol. A
69 pharmacist may not enter into a protocol that is to be performed
70 while acting as an employee without the written approval of the
71 owner of the pharmacy. Any pharmacist seeking to immunize
72 patients under this subsection must be certified to administer
73 immunizations pursuant to a certification program approved by
74 the Board of Pharmacy upon consultation with the Board of
75 Medicine. The certification program must, at a minimum, require
76 that a pharmacist attend at least 20 hours of continuing
77 education classes approved by the Board of Pharmacy. The program
78 must have a curriculum of instruction concerning the safe and

HB 1557

2005
CS

79 | effective administration of immunizations, including, but not
80 | limited to, potential allergic reactions to immunizations.

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