Florida Senate - 2005

By Senator Bennett

21-1518-05

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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
б	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 before 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 DefinitionsAs 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
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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. <u>"Practice of the profession</u>
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
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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, 2005.
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21	SENATE SUMMARY
22	Redefines the term "practice of the profession of
23	pharmacy" to include the administering of influenza virus immunizations to adults by a pharmacist within an
24	established protocol and under a supervisory practitioner who is a licensed physician or by written agreement with
25	a county health department. Provides requirements for the protocol. Requires professional liability insurance,
26	training and certification in immunization, and employer approval before entering into a protocol. Provides
27	requirements for the certification program.
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