

1 A bill to be entitled
2 An act relating to pharmacy technicians;
3 amending s. 465.014, F.S.; authorizing pharmacy
4 technicians to initiate or receive requests for
5 original prescriptions when dispensing for
6 nonhuman use; prohibiting a licensed pharmacist
7 from supervising more than a certain number of
8 pharmacy technicians in dispensing
9 prescriptions for nonhuman use; amending s.
10 465.035, F.S.; providing an exception to
11 certain requirements for dispensing medicinal
12 drugs for nonhuman use via facsimile; providing
13 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. Section 465.014, Florida Statutes, is
18 amended to read:

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

1 initiate or receive requests for original prescriptions for
2 nonhuman use if this is done under the direct supervision of a
3 licensed pharmacist. A ~~No~~ licensed pharmacist ~~may not shall~~
4 supervise more than one pharmacy technician unless otherwise
5 permitted by the guidelines adopted by the board. The board
6 shall establish guidelines to be followed by licensees or
7 permittees in determining the circumstances under which a
8 licensed pharmacist may supervise more than one but not more
9 than three pharmacy technicians. A licensed pharmacist may not
10 supervise more than five pharmacy technicians in dispensing
11 prescriptions for nonhuman use.

12 Section 2. Paragraph (b) of subsection (1) of section
13 465.035, Florida Statutes, is amended to read:

14 465.035 Dispensing of medicinal drugs pursuant to
15 facsimile of prescription.--

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

22 (b) Except in the case of the transmission of a
23 prescription by a person authorized by law to prescribe
24 medicinal drugs and except in the case of dispensing for
25 nonhuman use:

26 1. The facsimile system making the transmission
27 provides the pharmacy receiving the transmission with audio
28 communication via telephonic, electronic, or similar means
29 with the person presenting the prescription.
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1 2. At the time of the delivery of the medicinal drugs,
2 the pharmacy has in its possession the original prescription
3 for the medicinal drug involved.

4 3. The recipient of the prescription shall sign a log
5 and shall indicate the name and address of both the recipient
6 and the patient for whom the medicinal drug was prescribed.

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

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