

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

1 The Health & Families Council offered the following:

2
3 **Amendment (with title amendment)**

4 On page 2, line 14, through page 3, line 19
5 remove: all of said lines

6
7 and insert:

8 465.0266 Common database.--Nothing contained in this
9 chapter shall be construed to prohibit the dispensing by a
10 pharmacist licensed in this state or another state of a
11 prescription contained in a common database, and such dispensing
12 shall not constitute a transfer as defined in s. 465.026(1)-(6),
13 provided that the following conditions are met:

14 (1) All pharmacies involved in the transactions pursuant
15 to which the prescription is dispensed are under common
16 ownership and utilize a common database.

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17 (2) All pharmacies involved in the transactions pursuant
18 to which the prescription is dispensed and all pharmacists
19 engaging in dispensing functions are properly licensed,
20 permitted, or registered in this state or another state.

21 (3) The common database maintains a record of all
22 pharmacists involved in the process of dispensing a
23 prescription.

24 (4) The owner of the common database maintains a policy
25 and procedures manual that governs its participating pharmacies,
26 pharmacists, and pharmacy employees and that is available to the
27 board or its agent upon request. The policy and procedures
28 manual shall include the following information:

29 (a) A best practices model detailing how each pharmacy and
30 each pharmacist accessing the common database will comply with
31 applicable federal and state laws, rules, and regulations.

32 (b) The procedure for maintaining appropriate records for
33 regulatory oversight for tracking a prescription during each
34 stage of the filling and dispensing process, identifying the
35 pharmacists involved in filling and dispensing the prescription
36 and counseling the patient, and responding to any requests for
37 information made by the board under s. 465.0156.

38 (c) The policy and procedure for providing adequate
39 security to protect the confidentiality and integrity of patient
40 information.

41 (d) A quality assurance program designed to objectively
42 and systematically monitor, evaluate, and improve the quality
43 and appropriateness of patient care through the use of the
44 common database.

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46 Any pharmacist dispensing a prescription has at all times the
47 right and obligation to exercise his or her independent
48 professional judgment. Notwithstanding other provisions in this
49 section, no pharmacist licensed in this state participating in
50 the dispensing of a prescription pursuant to this section shall
51 be responsible for the acts and omissions of another person
52 participating in the dispensing process provided such person is
53 not under the direct supervision and control of the pharmacist
54 licensed in this state.

55
56

57 ===== T I T L E A M E N D M E N T =====

58 On page 1, line(s) 8-10,
59 remove: all of said lines

60

61 and insert:

62 dispensing of a prescription contained in a common database
63 under specified conditions; providing requirements for a
64 policy and procedures manual that governs pharmacies,
65 pharmacists, and pharmacy employees participating in a
66 pharmacy common database; providing for the rights and
67 obligations of pharmacists dispensing prescriptions;
68 providing an effective