

1 ~~(a) The pharmacy receiving and dispensing the~~
2 ~~transferred prescription maintains at all times a valid,~~
3 ~~unexpired license, permit, or registration to operate the~~
4 ~~pharmacy in compliance with the laws of the state in which the~~
5 ~~pharmacy is located and from which the medicinal drugs are~~
6 ~~dispensed;~~

7 ~~(b) The community pharmacy and the receiving pharmacy~~
8 ~~are owned and operated by the same person and share a~~
9 ~~centralized database; and~~

10 ~~(c) The community pharmacy assures its compliance with~~
11 ~~the federal laws and subsections (1) (5).~~

12 Section 2. Section 465.0266, Florida Statutes, is
13 created to read:

14 465.0266 Common database.--The dispensing or refilling
15 of a prescription on file in a pharmacy located in this state
16 or in another state by a pharmacist licensed in this state or
17 in another state shall not require the transfer of the
18 prescription if all of the following conditions are present:

19 (1) The participating pharmacies have the same owner
20 and share a common database.

21 (2) The prescription information is maintained within
22 the common database.

23 (3) The common database maintains a record of all
24 persons involved, in any manner, in the dispensing or
25 refilling of the prescription.

26 (4) All participating pharmacies are properly licensed
27 by their state of residence.

28 (5) The owner of the common database maintains a
29 policy and procedures manual that governs the participating
30 pharmacies and pharmacists, which shall be made available to
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1 the board upon request. The manual shall include the following
2 information:

3 (a) A best-practices model detailing how each pharmacy
4 and pharmacist accessing the common database will comply with
5 applicable federal and state laws, rules, and regulations;

6 (b) The procedure for maintaining appropriate records
7 for regulatory oversight for tracking the prescription during
8 each stage of the filling and dispensing process, identifying
9 the pharmacists involved in filling and dispensing the
10 prescription and counseling the patient, and responding to
11 requests for information made by the board pursuant to s.
12 465.0156;

13 (c) The policy and procedures to provide adequate
14 security to protect the confidentiality and integrity of
15 patient information; and

16 (d) A quality assurance program designed to
17 objectively and systematically monitor, evaluate, and improve
18 the quality and appropriateness of patient care through the
19 use of the common database.

20 Section 3. This act shall take effect July 1, 2006.

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22 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
23 COMMITTEE SUBSTITUTE FOR
24 Senate Bill 1838

25 The committee substitute revises conditions that must be met
26 for a pharmacy to dispense or fill a prescription without
27 transferring the prescription. The committee substitute
28 requires the owner of a common database to maintain a policy
29 and procedures manual with specified elements that governs
30 participating pharmacies and pharmacists.
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