

Bill No. CS for SB 2022

Barcode 350622

CHAMBER ACTION

Senate

House

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

.
. .
. .
. .
. .
. .

The Committee on Judiciary (Saunders) recommended the following amendment:

Senate Amendment (with title amendment)

Delete everything after the enacting clause

and insert:

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

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

(13) "Practice of the profession of pharmacy" includes compounding, dispensing, and consulting concerning contents, therapeutic values, and uses of any medicinal drug; consulting concerning therapeutic values and interactions of patent or proprietary preparations, whether pursuant to prescriptions or in the absence and entirely independent of such prescriptions or orders; and other pharmaceutical services. For purposes of this subsection, "other pharmaceutical services" means the monitoring of the patient's drug therapy and assisting the patient in the management of his or her drug therapy, and

Bill No. CS for SB 2022

Barcode 350622

1 includes review of the patient's drug therapy and
 2 communication with the patient's prescribing health care
 3 provider as licensed under chapter 458, chapter 459, chapter
 4 461, or chapter 466, or similar statutory provision in another
 5 jurisdiction, or such provider's agent or such other persons
 6 as specifically authorized by the patient, regarding the drug
 7 therapy. However, nothing in this subsection may be
 8 interpreted to permit an alteration of a prescriber's
 9 directions, the diagnosis or treatment of any disease, the
 10 initiation of any drug therapy, the practice of medicine, or
 11 the practice of osteopathic medicine, unless otherwise
 12 permitted by law. "Practice of the profession of pharmacy"
 13 also includes any other act, service, operation, research, or
 14 transaction incidental to, or forming a part of, any of the
 15 foregoing acts, requiring, involving, or employing the science
 16 or art of any branch of the pharmaceutical profession, study,
 17 or training, and shall expressly permit a pharmacist to
 18 transmit information from persons authorized to prescribe
 19 medicinal drugs to their patients. The practice of the
 20 profession of pharmacy also includes the administration of
 21 influenza virus immunizations to adults pursuant to s.
 22 465.189.

23 Section 2. Section 465.189, Florida Statutes, is
 24 created to read:

25 465.189 Administration of influenza virus
 26 immunizations.--

27 (1) Pharmacists may administer influenza virus
 28 immunizations to adults within the framework of an established
 29 protocol under a supervisory practitioner who is a physician
 30 licensed under chapter 458 or chapter 459 or by written
 31 agreement with a county health department. Each protocol shall

Barcode 350622

1 contain specific procedures for addressing any unforeseen
2 allergic reaction to influenza virus immunizations.

3 (2) A pharmacist may not enter into a protocol unless
4 he or she maintains at least \$200,000 of professional
5 liability insurance and has completed training in influenza
6 virus immunizations as provided in this section.

7 (3) A pharmacist administering influenza virus
8 immunizations shall maintain and make available patient
9 records using the same standards for confidentiality and
10 maintenance of such records as those that are imposed on
11 health care practitioners under s. 456.057. These records
12 shall be maintained for a minimum of 5 years.

13 (4) The decision by a supervisory practitioner to
14 enter into a protocol under this section is a professional
15 decision on the part of the practitioner and a person may not
16 interfere with a supervisory practitioner's decision as to
17 entering into such a protocol. A pharmacist may not enter into
18 a protocol that is to be performed while acting as an employee
19 without the written approval of the owner of the pharmacy.
20 Pharmacists shall forward immunization records to the
21 department for inclusion in the state registry of immunization
22 information.

23 (5) Any pharmacist seeking to administer influenza
24 virus immunizations to adults under this section must be
25 certified to administer influenza virus immunizations pursuant
26 to a certification program approved by the Board of Pharmacy.
27 The certification program shall, at a minimum, require that
28 the pharmacist attend at least 20 hours of continuing
29 education classes approved by the board. The program shall
30 have a curriculum of instruction concerning the safe and
31 effective administration of influenza virus immunizations.

Bill No. CS for SB 2022

Barcode 350622

1 including, but not limited to, potential allergic reactions to
2 influenza virus immunizations.

3 (6) The pharmacist shall submit to the Board of
4 Pharmacy a copy of his or her protocol or written agreement to
5 administer influenza virus immunizations.

6 Section 3. Task Force for the Study of Biotech
7 Competitiveness.--

8 (1) INTENT.--

9 (a) The Legislature finds that an estimated 20
10 diseases can be cured through immunizations and that
11 immunizations provided early in a child's life, and as
12 scheduled during adolescence and adulthood, provide a strong
13 foundation of disease prevention and overall health. The
14 Legislature further finds that every dollar spent on
15 immunization saves an average \$10 in future disease-related
16 health care costs. The Legislature recognizes that
17 immunization education and disease-awareness programs lead to
18 improved vaccine usage and better health outcomes. The
19 Legislature further acknowledges that rapid immunization
20 distribution is an important factor in managing the
21 containment of diseases under normal circumstances and is of
22 vital importance during mass outbreaks of diseases or natural
23 disasters. The Legislature further recognizes that the threat
24 of a bioterrorism, pandemic influenza, or other disaster of
25 widespread proportion exists in our world today and that
26 access to vaccines and health care services are essential
27 combatants against these threats.

28 (b) The Legislature finds that immunization
29 manufacturing and distribution is enhanced by siting vaccine
30 manufacturing corporations in this state. The Legislature
31 recognizes that the state's efforts through existing biotech

Bill No. CS for SB 2022

Barcode 350622

1 research funded through various state research programs,
 2 including the James and Esther King Biomedical Research
 3 Program, the William G. "Bill" Bankhead, Jr., and David Coley
 4 Cancer Research Program, the Johnnie B. Byrd Senior
 5 Alzheimer's Center and Research Institute, the Scripps Florida
 6 Funding Corporation, and the High Impact Performance Incentive
 7 grants, which are directed toward developing and expanding the
 8 state's biotech industry result in the expansion of biotech
 9 research capacity and create biotech manufacturing and
 10 distribution jobs in Florida. The Legislature further finds
 11 that current and future collaboration among the state's
 12 university researchers and private and public research efforts
 13 creates a robust opportunity to encourage biotech research,
 14 manufacturing, and the distribution of vaccines.

15 (c) It is the intent of the Legislature that this
 16 state strive to become the nation's leader in immunizations
 17 and commit itself to encouraging companies to locate to
 18 Florida to help achieve this goal. Moreover, it is the intent
 19 of the Legislature to expand the state's economy by attracting
 20 biotech manufacturing companies to Florida.

21 (2) ESTABLISHMENT OF TASK FORCE.--There is created
 22 within the Governor's Office of Tourism, Trade, and Economic
 23 Development the Task Force on the Study of Biotech
 24 Competitiveness. The staff shall provide support for the task
 25 force using internal staff or through a contracted consultant.

26 (3) MEMBERSHIP.--

27 (a) The task force shall consist of 17 members
 28 appointed as follows:

29 1. The Governor shall appoint seven members: one
 30 member from the Governor's Office of Tourism, Trade, and
 31 Economic Development; the Secretary or Surgeon General of the

Bill No. CS for SB 2022

Barcode 350622

1 Department of Health or her designee; one member from the
 2 Department of Education having expertise in workforce
 3 education; one member from the Agency for Workforce Innovation
 4 having expertise in workforce readiness; one member from the
 5 Florida Research Consortium having training and experience in
 6 technology transfer; one member representing the Medical
 7 Device Manufacturing Association; and one member from
 8 Enterprise Florida, Inc.

9 2. The Senate President shall appoint five members:
 10 one member representing the Torrey Pines Research Institute;
 11 one member representing the Burnham Research Institute; one
 12 member representing an established biotech company that has
 13 sited a manufacturing or distribution facility outside Florida
 14 in the last 12 months; one member who is a site-selection
 15 consultant who has worked with biotech companies in the
 16 sighting of manufacturing and distribution facilities in
 17 states outside Florida; and one member representing the
 18 Florida Public Health Foundation, Inc.

19 3. The Speaker of the House of Representatives shall
 20 appoint five members: one member representing the Scripps
 21 Research Institute; one member representing BioFlorida; one
 22 member representing the water management districts; one member
 23 representing a local economic development authority; and one
 24 member representing the Board of Governors of the State
 25 University System.

26 (b) In making these appointments the Governor, the
 27 President of the Senate, and the Speaker of the House of
 28 Representatives shall select members who reflect the diversity
 29 of the state's population. One member shall be designated by
 30 the Governor as chair of the task force.

31 (c) Members of the task force shall serve without

Bill No. CS for SB 2022

Barcode 350622

1 compensation, but are entitled to reimbursement as provided in
2 s. 112.061, Florida Statutes, for travel and other necessary
3 expenses incurred in the performance of their official duties.

4 (4) PURPOSE.--

5 (a) The task force shall study economic policies
6 necessary for making Florida competitive with other states in
7 attracting and retaining a biotech manufacturing and
8 distribution workforce. The study shall include, but not be
9 limited to, the following review and analysis:

10 1. The state's corporate taxation system and its
11 effect on attracting biotech manufacturing and distribution
12 facilities to the state. This review includes, but is not be
13 limited to, implementing a single sales-factor formula to
14 apportion the corporate income of biotech businesses for tax
15 purposes;

16 2. The state's water policies and their effect on
17 meeting the water needs of the biotech manufacturing process;

18 3. The state's education and workforce training
19 programs and workforce preparedness for employment in the
20 biotech manufacturing and distribution fields;

21 4. The state's Medicaid program, state employee health
22 plans, and private health insurance policies and regulations
23 and the extent to which they provide support for products
24 generated by biotech companies; and

25 5. Other states' initiatives that have had success in
26 attracting and retaining biotech manufacturing and
27 distribution facilities and an evaluation of Florida's
28 readiness to compete with other states.

29 (b) The study shall provide recommendations concerning
30 maximizing federal revenues to the state.

31 (c) The study shall provide recommendations concerning

Bill No. CS for SB 2022

Barcode 350622

1 how this state's existing policies and programs can be
 2 modified to ensure competitiveness when evaluated by companies
 3 making siting decisions related to biotech manufacturing and
 4 distribution facilities.

5 (5) REPORT.--The task force shall report the findings
 6 of the study to the Governor, the President of the Senate, and
 7 the Speaker of the House of Representatives by January 1,
 8 2009.

9 (6) EXPIRATION.--The task force is dissolved June 30,
 10 2009.

11 Section 4. This act shall take effect July 1, 2007.

12
 13

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

15 And the title is amended as follows:

16 Delete everything before the enacting clause

17

18 and insert:

19 A bill to be entitled
 20 An act relating to immunization services;
 21 amending s. 465.003, F.S.; revising a
 22 definition relating to the practice of
 23 pharmacists; creating s. 465.189, F.S.;
 24 authorizing pharmacists to administer influenza
 25 virus immunizations to adults; providing
 26 requirements with respect thereto; creating the
 27 Task Force for the Study of Biotech
 28 Competitiveness; providing for staff support by
 29 the Governor's Office of Tourism, Trade, and
 30 Economic Development; providing for appointment
 31 of members; requiring a study; requiring a

Bill No. CS for SB 2022

Barcode 350622

1 report; providing for expiration of the task
2 force; providing an effective date.
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31