

1 A bill to be entitled
2 An act relating to immunization services;
3 providing a short title; amending s. 465.003,
4 F.S.; revising a definition relating to the
5 practice of pharmacists; creating s. 465.189,
6 F.S.; authorizing pharmacists to administer
7 influenza virus immunizations to adults;
8 providing requirements with respect thereto;
9 requiring that the protocol between a
10 pharmacist and supervising physician contain
11 certain information, terms, and conditions;
12 requiring that pharmacists authorized to
13 administer influenza virus immunizations
14 provide evidence of current certification by
15 the Centers for Disease Control of the United
16 States Department of Health to the supervising
17 physician; requiring supervising physicians to
18 review certain information in accordance with
19 the written protocol; creating the Task Force
20 for the Study of Biotech Competitiveness;
21 providing for staff support by the Governor's
22 Office of Tourism, Trade, and Economic
23 Development; providing for appointment of
24 members; requiring a study; requiring a report;
25 providing for expiration of the task force;
26 providing an effective date.

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28 Be It Enacted by the Legislature of the State of Florida:
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30 Section 1. This act may be cited as the "Pharmacist
31 Kevin Coit Memorial Act."

1 Section 2. Subsection (13) of section 465.003, Florida
2 Statutes, is amended to read:

3 465.003 Definitions.--As used in this chapter, the
4 term:

5 (13) "Practice of the profession of pharmacy" includes
6 compounding, dispensing, and consulting concerning contents,
7 therapeutic values, and uses of any medicinal drug; consulting
8 concerning therapeutic values and interactions of patent or
9 proprietary preparations, whether pursuant to prescriptions or
10 in the absence and entirely independent of such prescriptions
11 or orders; and other pharmaceutical services. For purposes of
12 this subsection, "other pharmaceutical services" means the
13 monitoring of the patient's drug therapy and assisting the
14 patient in the management of his or her drug therapy, and
15 includes review of the patient's drug therapy and
16 communication with the patient's prescribing health care
17 provider as licensed under chapter 458, chapter 459, chapter
18 461, or chapter 466, or similar statutory provision in another
19 jurisdiction, or such provider's agent or such other persons
20 as specifically authorized by the patient, regarding the drug
21 therapy. However, nothing in this subsection may be
22 interpreted to permit an alteration of a prescriber's
23 directions, the diagnosis or treatment of any disease, the
24 initiation of any drug therapy, the practice of medicine, or
25 the practice of osteopathic medicine, unless otherwise
26 permitted by law. "Practice of the profession of pharmacy"
27 also includes any other act, service, operation, research, or
28 transaction incidental to, or forming a part of, any of the
29 foregoing acts, requiring, involving, or employing the science
30 or art of any branch of the pharmaceutical profession, study,
31 or training, and shall expressly permit a pharmacist to

1 transmit information from persons authorized to prescribe
2 medicinal drugs to their patients. The practice of the
3 profession of pharmacy also includes the administration of
4 influenza virus immunizations to adults pursuant to s.
5 465.189.

6 Section 3. Section 465.189, Florida Statutes, is
7 created to read:

8 465.189 Administration of influenza virus
9 immunizations.--

10 (1) Pharmacists may administer influenza virus
11 immunizations to adults within the framework of an established
12 protocol under a supervisory practitioner who is a physician
13 licensed under chapter 458 or chapter 459. Each protocol shall
14 contain specific procedures for addressing any unforeseen
15 allergic reaction to influenza virus immunizations.

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

20 (3) A pharmacist administering influenza virus
21 immunizations shall maintain and make available patient
22 records using the same standards for confidentiality and
23 maintenance of such records as those that are imposed on
24 health care practitioners under s. 456.057. These records
25 shall be maintained for a minimum of 5 years.

26 (4) The decision by a supervisory practitioner to
27 enter into a protocol under this section is a professional
28 decision on the part of the practitioner and a person may not
29 interfere with a supervisory practitioner's decision as to
30 entering into such a protocol. A pharmacist may not enter into
31 a protocol that is to be performed while acting as an employee

1 without the written approval of the owner of the pharmacy.

2 Pharmacists shall forward immunization records to the
3 department for inclusion in the state registry of immunization
4 information.

5 (5) Any pharmacist seeking to administer influenza
6 virus immunizations to adults under this section must be
7 certified to administer influenza virus immunizations pursuant
8 to a certification program approved by the Board of Pharmacy
9 in consultation with the Board of Medicine and the Board of
10 Osteopathic Medicine. The certification program shall, at a
11 minimum, require that the pharmacist attend at least 20 hours
12 of continuing education classes approved by the board. The
13 program shall have a curriculum of instruction concerning the
14 safe and effective administration of influenza virus
15 immunizations, including, but not limited to, potential
16 allergic reactions to influenza virus immunizations.

17 (6) The written protocol between the pharmacist and
18 supervising physician must include particular terms and
19 conditions imposed by the supervising physician upon the
20 pharmacist relating to the administration of influenza virus
21 immunizations by the pharmacist. The written protocol must
22 include, at a minimum, specific categories and conditions
23 among patients for whom the supervising physician authorizes
24 the pharmacist to administer influenza virus immunizations.
25 The terms, scope, and conditions set forth in the written
26 protocol between the pharmacist and the supervising physician
27 must be appropriate to the pharmacist's training and
28 certification for immunization. Pharmacists who have been
29 delegated the authority to administer influenza virus
30 immunizations by the supervising physician shall provide
31 evidence of current certification by the Board of Pharmacy to

1 the supervising physician. Supervising physicians shall review
2 the administration of influenza virus immunizations by the
3 pharmacists under such physician's supervision pursuant to the
4 written protocol, and this review shall take place as outlined
5 in the written protocol. The process and schedule for the
6 review shall be outlined in the written protocol between the
7 pharmacist and the supervising physician.

8 (7) The pharmacist shall submit to the Board of
9 Pharmacy a copy of his or her protocol or written agreement to
10 administer influenza virus immunizations.

11 Section 4. Task Force for the Study of Biotech
12 Competitiveness.--

13 (1) INTENT.--

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

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

21 (c) It is the intent of the Legislature that this
22 state strive to become the nation's leader in immunizations
23 and commit itself to encouraging companies to locate to
24 Florida to help achieve this goal. Moreover, it is the intent
25 of the Legislature to expand the state's economy by attracting
26 biotech manufacturing companies to Florida.

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

1 (3) MEMBERSHIP.--
2 (a) The task force shall consist of 17 members
3 appointed as follows:
4 1. The Governor shall appoint seven members: one
5 member from the Governor's Office of Tourism, Trade, and
6 Economic Development; the Secretary or Surgeon General of the
7 Department of Health or her designee; one member from the
8 Department of Education having expertise in workforce
9 education; one member from the Agency for Workforce Innovation
10 having expertise in workforce readiness; one member from the
11 Florida Research Consortium having training and experience in
12 technology transfer; one member representing the Medical
13 Device Manufacturing Association; and one member from
14 Enterprise Florida, Inc.
15 2. The Senate President shall appoint five members:
16 one member representing the Torrey Pines Research Institute;
17 one member representing the Burnham Research Institute; one
18 member representing an established biotech company that has
19 sited a manufacturing or distribution facility outside Florida
20 in the last 12 months; one member who is a site-selection
21 consultant who has worked with biotech companies in the
22 sighting of manufacturing and distribution facilities in
23 states outside Florida; and one member representing the
24 Florida Public Health Foundation, Inc.
25 3. The Speaker of the House of Representatives shall
26 appoint five members: one member representing the Scripps
27 Research Institute; one member representing BioFlorida; one
28 member representing the water management districts; one member
29 representing a local economic development authority; and one
30 member representing the Board of Governors of the State
31 University System.

1 (b) In making these appointments the Governor, the
2 President of the Senate, and the Speaker of the House of
3 Representatives shall select members who reflect the diversity
4 of the state's population. One member shall be designated by
5 the Governor as chair of the task force.

6 (c) Members of the task force shall serve without
7 compensation, but are entitled to reimbursement as provided in
8 s. 112.061, Florida Statutes, for travel and other necessary
9 expenses incurred in the performance of their official duties.

10 (4) PURPOSE.--

11 (a) The task force shall study economic policies
12 necessary for making Florida competitive with other states in
13 attracting and retaining a biotech manufacturing and
14 distribution workforce. The study shall include, but not be
15 limited to, the following review and analysis:

16 1. The state's corporate taxation system and its
17 effect on attracting biotech manufacturing and distribution
18 facilities to the state. This review includes, but is not be
19 limited to, implementing a single sales-factor formula to
20 apportion the corporate income of biotech businesses for tax
21 purposes;

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

24 3. The state's education and workforce training
25 programs and workforce preparedness for employment in the
26 biotech manufacturing and distribution fields;

27 4. The state's Medicaid program, state employee health
28 plans, and private health insurance policies and regulations
29 and the extent to which they provide support for products
30 generated by biotech companies; and

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1 5. Other states' initiatives that have had success in
2 attracting and retaining biotech manufacturing and
3 distribution facilities and an evaluation of Florida's
4 readiness to compete with other states.

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

7 (c) The study shall provide recommendations concerning
8 how this state's existing policies and programs can be
9 modified to ensure competitiveness when evaluated by companies
10 making siting decisions related to biotech manufacturing and
11 distribution facilities.

12 (5) REPORT.--The task force shall report the findings
13 of the study to the Governor, the President of the Senate, and
14 the Speaker of the House of Representatives by January 1,
15 2009.

16 (6) EXPIRATION.--The task force is dissolved June 30,
17 2009.

18 Section 5. This act shall take effect July 1, 2007.
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