

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative(s) Zapata offered the following:

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Amendment (with title amendment)

Remove everything after the enacting clause and insert:

Section 1. This act may be cited as the "Pharmacist Kevin Coit Memorial Act."

Section 2. 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

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17 subsection, "other pharmaceutical services" means the monitoring
18 of the patient's drug therapy and assisting the patient in the
19 management of his or her drug therapy, and includes review of
20 the patient's drug therapy and communication with the patient's
21 prescribing health care provider as licensed under chapter 458,
22 chapter 459, chapter 461, or chapter 466, or similar statutory
23 provision in another jurisdiction, or such provider's agent or
24 such other persons as specifically authorized by the patient,
25 regarding the drug therapy. However, nothing in this subsection
26 may be interpreted to permit an alteration of a prescriber's
27 directions, the diagnosis or treatment of any disease, the
28 initiation of any drug therapy, the practice of medicine, or the
29 practice of osteopathic medicine, unless otherwise permitted by
30 law. "Practice of the profession of pharmacy" also includes any
31 other act, service, operation, research, or transaction
32 incidental to, or forming a part of, any of the foregoing acts,
33 requiring, involving, or employing the science or art of any
34 branch of the pharmaceutical profession, study, or training, and
35 shall expressly permit a pharmacist to transmit information from
36 persons authorized to prescribe medicinal drugs to their
37 patients. The practice of the profession of pharmacy also
38 includes the administration of influenza virus immunizations to
39 adults pursuant to s. 465.189.

40 Section 3. Section 465.189, Florida Statutes, is created
41 to read:

42 465.189 Administration of influenza virus immunizations.--

43 (1) Pharmacists may administer influenza virus
44 immunizations to adults within the framework of an established
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45 protocol under a supervisory practitioner who is a physician
46 licensed under chapter 458 or chapter 459. Each protocol shall
47 contain specific procedures for addressing any unforeseen
48 allergic reaction to influenza virus immunizations.

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

53 (3) A pharmacist administering influenza virus
54 immunizations shall maintain and make available patient records
55 using the same standards for confidentiality and maintenance of
56 such records as those that are imposed on health care
57 practitioners under s. 456.057. These records shall be
58 maintained for a minimum of 5 years.

59 (4) The decision by a supervisory practitioner to enter
60 into a protocol under this section is a professional decision on
61 the part of the practitioner and a person may not interfere with
62 a supervisory practitioner's decision as to entering into such a
63 protocol. A pharmacist may not enter into a protocol that is to
64 be performed while acting as an employee without the written
65 approval of the owner of the pharmacy. Pharmacists shall forward
66 immunization records to the department for inclusion in the
67 state registry of immunization information.

68 (5) Any pharmacist seeking to administer influenza virus
69 immunizations to adults under this section must be certified to
70 administer influenza virus immunizations pursuant to a
71 certification program approved by the Board of Pharmacy in
72 consultation with the Board of Medicine and the Board of

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73 Osteopathic Medicine. The certification program shall, at a
74 minimum, require that the pharmacist attend at least 20 hours of
75 continuing education classes approved by the board. The program
76 shall have a curriculum of instruction concerning the safe and
77 effective administration of influenza virus immunizations,
78 including, but not limited to, potential allergic reactions to
79 influenza virus immunizations.

80 (6) The written protocol between the pharmacist and
81 supervising physician must include particular terms and
82 conditions imposed by the supervising physician upon the
83 pharmacist relating to the administration of influenza virus
84 immunizations by the pharmacist. The written protocol shall
85 include, at a minimum, specific categories and conditions among
86 patients for whom the supervising physician authorizes the
87 pharmacist to administer influenza virus immunizations. The
88 terms, scope, and conditions set forth in the written protocol
89 between the pharmacist and the supervising physician must be
90 appropriate to the pharmacist's training and certification for
91 immunization. Pharmacists who have been delegated the authority
92 to administer influenza virus immunizations by the supervising
93 physician shall provide evidence of current certification by the
94 Board of Pharmacy to the supervising physician. Supervising
95 physicians shall review the administration of influenza virus
96 immunizations by the pharmacists under such physician's
97 supervision pursuant to the written protocol, and this review
98 shall take place as outlined in the written protocol. The
99 process and schedule for the review shall be outlined in the

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100 written protocol between the pharmacist and the supervising
101 physician.

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

105 Section 4. Task Force for the Study of Biotech
106 Competitiveness.--

107 (1) INTENT.--

108 (a) The Legislature finds that an estimated 20 diseases
109 can be cured through immunizations and that immunizations
110 provided early in a child's life, and as scheduled during
111 adolescence and adulthood, provide a strong foundation of
112 disease prevention and overall health. The Legislature further
113 finds that every dollar spent on immunization saves an average
114 \$10 in future disease-related health care costs. The Legislature
115 recognizes that immunization education and disease-awareness
116 programs lead to improved vaccine usage and better health
117 outcomes. The Legislature further acknowledges that rapid
118 immunization distribution is an important factor in managing the
119 containment of diseases under normal circumstances and is of
120 vital importance during mass outbreaks of diseases or natural
121 disasters. The Legislature further recognizes that the threat of
122 a bioterrorism, pandemic influenza, or other disaster of
123 widespread proportion exists in our world today and that access
124 to vaccines and health care services are essential combatants
125 against these threats.

126 (b) The Legislature finds that immunization manufacturing
127 and distribution is enhanced by siting vaccine manufacturing

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128 corporations in this state. The Legislature recognizes that the
129 state's efforts through existing biotech research funded through
130 various state research programs, including the James and Esther
131 King Biomedical Research Program, the William G. "Bill"
132 Bankhead, Jr., and David Coley Cancer Research Program, the
133 Johnnie B. Byrd Senior Alzheimer's Center and Research
134 Institute, the Scripps Florida Funding Corporation, and the High
135 Impact Performance Incentive grants, which are directed toward
136 developing and expanding the state's biotech industry result in
137 the expansion of biotech research capacity and create biotech
138 manufacturing and distribution jobs in Florida. The Legislature
139 further finds that current and future collaboration among the
140 state's university researchers and private and public research
141 efforts creates a robust opportunity to encourage biotech
142 research, manufacturing, and the distribution of vaccines.

143 (c) It is the intent of the Legislature that this state
144 strive to become the nation's leader in immunizations and commit
145 itself to encouraging companies to locate to Florida to help
146 achieve this goal. Moreover, it is the intent of the Legislature
147 to expand the state's economy by attracting biotech
148 manufacturing companies to Florida.

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

154 (3) MEMBERSHIP.--

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155 (a) The task force shall consist of 17 members appointed
156 as follows:

157 1. The Governor shall appoint seven members: one member
158 from the Governor's Office of Tourism, Trade, and Economic
159 Development; the Secretary or Surgeon General of the Department
160 of Health or her designee; one member from the Department of
161 Education having expertise in workforce education; one member
162 from the Agency for Workforce Innovation having expertise in
163 workforce readiness; one member from the Florida Research
164 Consortium having training and experience in technology
165 transfer; one member representing the Medical Device
166 Manufacturing Association; and one member from Enterprise
167 Florida, Inc.

168 2. The Senate President shall appoint five members: one
169 member representing the Torrey Pines Research Institute; one
170 member representing the Burnham Research Institute; one member
171 representing an established biotech company that has sited a
172 manufacturing or distribution facility outside Florida in the
173 last 12 months; one member who is a site-selection consultant
174 who has worked with biotech companies in the sighting of
175 manufacturing and distribution facilities in states outside
176 Florida; and one member representing the Florida Public Health
177 Foundation, Inc.

178 3. The Speaker of the House of Representatives shall
179 appoint five members: one member representing the Scripps
180 Research Institute; one member representing BioFlorida; one
181 member representing the water management districts; one member
182 representing a local economic development authority; and one

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183 member representing the Board of Governors of the State
184 University System.

185 (b) In making these appointments the Governor, the
186 President of the Senate, and the Speaker of the House of
187 Representatives shall select members who reflect the diversity
188 of the state's population. One member shall be designated by the
189 Governor as chair of the task force.

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

194 (4) PURPOSE.--

195 (a) The task force shall study economic policies necessary
196 for making Florida competitive with other states in attracting
197 and retaining a biotech manufacturing and distribution
198 workforce. The study shall include, but not be limited to, the
199 following review and analysis:

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

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

207 3. The state's education and workforce training programs
208 and workforce preparedness for employment in the biotech
209 manufacturing and distribution fields;

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210 4. The state's Medicaid program, state employee health
211 plans, and private health insurance policies and regulations and
212 the extent to which they provide support for products generated
213 by biotech companies; and

214 5. Other states' initiatives that have had success in
215 attracting and retaining biotech manufacturing and distribution
216 facilities and an evaluation of Florida's readiness to compete
217 with other states.

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

220 (c) The study shall provide recommendations concerning how
221 this state's existing policies and programs can be modified to
222 ensure competitiveness when evaluated by companies making siting
223 decisions related to biotech manufacturing and distribution
224 facilities.

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

228 (6) EXPIRATION.--The task force is dissolved June 30,
229 2009.

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

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

233

234 Remove the entire title and insert:

235 A bill to be entitled

236 An act relating to immunization services; providing a

237 short title; amending s. 465.003, F.S.; revising a

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238 definition relating to the practice of pharmacists;
239 creating s. 465.189, F.S.; authorizing pharmacists to
240 administer influenza virus immunizations to adults;
241 providing requirements with respect thereto; requiring
242 that the protocol between a pharmacist and supervising
243 physician contain certain information, terms, and
244 conditions; requiring that pharmacists authorized to
245 administer influenza virus immunizations provide evidence
246 of current certification by the Board of Pharmacy to the
247 supervising physician; requiring supervising physicians to
248 review certain information in accordance with the written
249 protocol; creating the Task Force for the Study of Biotech
250 Competitiveness; providing for staff support by the
251 Governor's Office of Tourism, Trade, and Economic
252 Development; providing for appointment of members;
253 requiring a study; requiring a report; providing for
254 expiration of the task force; providing an effective date.