

Amendment No.

CHAMBER ACTION

Senate

House

1 Representative(s) Hays offered the following:

2
3 **Amendment to Amendment (766065) (with title amendments)**

4 Remove lines 39-104 and insert:

5 adults pursuant to s. 465.189, with a prescription by a
6 physician licensed under chapter 458 or chapter 459.

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

9 465.189 Administration of influenza virus 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. A physician
16 may not enter into a protocol with more than 10 pharmacists,

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17 with each office of such pharmacists being located no more than
18 50 miles from the physicians' primary place of practice.

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

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

29 (4) The decision by a supervisory practitioner to enter
30 into a protocol under this section is a professional decision on
31 the part of the practitioner and a person may not interfere with
32 a supervisory practitioner's decision as to entering into such a
33 protocol. A pharmacist may not enter into a protocol that is to
34 be performed while acting as an employee without the written
35 approval of the owner of the pharmacy. Pharmacists shall forward
36 immunization records to the department for inclusion in the
37 state registry of immunization information.

38 (5) Any pharmacist seeking to administer influenza virus
39 immunizations to adults under this section must be certified to
40 administer influenza virus immunizations pursuant to a
41 certification program approved by the Board of Pharmacy in
42 consultation with the Board of Medicine and the Board of
43 Osteopathic Medicine. The certification program shall, at a
44 minimum, require that the pharmacist attend at least 20 hours of

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45 continuing education classes approved by the board. The program
46 shall have a curriculum of instruction concerning the safe and
47 effective administration of influenza virus immunizations,
48 including, but not limited to, potential allergic reactions to
49 influenza virus immunizations.

50 (6) The written protocol between the pharmacist and
51 supervising physician must include particular terms and
52 conditions imposed by the supervising physician upon the
53 pharmacist relating to the administration of influenza virus
54 immunizations by the pharmacist. The written protocol shall
55 include, at a minimum, specific categories and conditions among
56 patients for whom the supervising physician authorizes the
57 pharmacist to administer influenza virus immunizations. The
58 terms, scope, and conditions set forth in the written protocol
59 between the pharmacist and the supervising physician must be
60 appropriate to the pharmacist's training and certification for
61 immunization. Pharmacists who have been delegated the authority
62 to administer influenza virus immunizations by the supervising
63 physician shall provide evidence of current certification by the
64 Board of Pharmacy to the supervising physician. Supervising
65 physicians shall review the administration of influenza virus
66 immunizations by the pharmacists under such physician's
67 supervision pursuant to the written protocol, and this review
68 shall take place as outlined in the written protocol. The
69 process and schedule for the review shall be outlined in the
70 written protocol between the pharmacist and the supervising
71 physician.

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

75 (8) The Board of Medicine shall adopt rules implementing
76 this section.

77

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

79 Remove line 254 and insert:

80 expiration of the task force; requiring the Board of
81 Medicine to adopt rules; providing an effective date.