

Amendment No.

CHAMBER ACTION

Senate

House

.  
.
.  
.



1 Representative(s) Zapata offered the following:

2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16

**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

766065

4/25/2007 1:53:14 PM

Amendment No.

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  
766065

4/25/2007 1:53:14 PM

Amendment No.

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

766065

4/25/2007 1:53:14 PM

Amendment No.

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

766065

4/25/2007 1:53:14 PM

Amendment No.

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

766065

4/25/2007 1:53:14 PM

Amendment No.

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.--

766065

4/25/2007 1:53:14 PM

Amendment No.

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

766065

4/25/2007 1:53:14 PM

Amendment No.

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;

766065

4/25/2007 1:53:14 PM



Amendment No.

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.

231

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

766065

4/25/2007 1:53:14 PM

Amendment No.

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.