

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Health Regulation Committee

BILL: CS/SB 334
 INTRODUCER: Committee on Health Regulation and Senator Saunders
 SUBJECT: The Practice of Pharmacy
 DATE: February 7, 2008 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Munroe	Wilson	HR	Fav/CS
2.	_____	_____	HA	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

The bill revises pharmacy licensure by endorsement requirements to delete the requirement that an applicant for licensure as a pharmacist must have obtained a passing score on the licensure examination not more than 12 years prior to application.

This bill amends section 465.0075, Florida Statutes.

II. Present Situation:

Chapter 465, F.S., governs the practice of pharmacy. The Board of Pharmacy within the Department of Health (DOH) regulates the practice of pharmacy. Section 465.007, F.S., provides requirements for licensure by examination for persons who wish to practice pharmacy. Applicants must complete the application form and submit to the DOH an examination fee no greater than \$100 plus the actual cost to the department for purchase of portions of the examination from the National Association of Boards of Pharmacy or a similar national organization. Pursuant to s. 465.007(1)(b) and (c), F.S., the DOH will examine any applicant wishing to practice pharmacy who the Board of Pharmacy certifies: is 18 years of age or older; has received a degree from a school or college of pharmacy accredited by an accrediting agency recognized and approved by the United States Office of Education or has graduated from a 4-year undergraduate pharmacy program of a school or college of pharmacy located outside the United States and has also demonstrated proficiency in English by passing both the Test of English as a Foreign Language and the Test of Spoken English; and has completed an internship program approved by the board. In addition, the Board of Pharmacy must certify that a graduate of a foreign school or college of pharmacy has also completed a minimum of 500 hours of supervised work in Florida under a licensed pharmacist and has passed the board-approved Foreign Pharmacy Graduate Equivalency Examination. After the Board of Pharmacy has

certified that applicants have successfully met the requirements in s. 465.007(1)(b) and (c), F.S., the DOH must issue a license to practice pharmacy to any applicant who successfully completes the examination. The pharmacy licensure examination also tests applicants' knowledge of Florida law relating to the practice of pharmacy.

Licensure by endorsement is a licensing procedure that allows an out-of-state practitioner who holds an active license in a state which has licensing requirements substantially equivalent to, or more stringent than, those in the state in which the practitioner is seeking licensure to obtain a license without meeting all of the licensure requirements for a person who is obtaining licensure for the first time. Section 465.0075, F.S., requires persons seeking to practice pharmacy by obtaining licensure by endorsement to have successfully met the requirements in s. 465.007(1)(b) and (c), F.S., and to have taken the required licensure examination not more than 12 years prior to application. Additionally, the applicants must submit evidence of the active licensed practice of pharmacy in another jurisdiction for 2 of the immediately preceding 5 years or evidence of successful completion of board-approved postgraduate training, a board-approved clinical competency examination within 1 year immediately preceding application for licensure, or completion of an internship within 2 years immediately preceding application. All pharmacy applicants seeking licensure by endorsement must obtain a passing score on the pharmacy jurisprudence portions of the board-approved licensure examination.

III. Effect of Proposed Changes:

Section 1. Amends s. 465.0075, F.S., relating to pharmacy licensure by endorsement, to delete the requirement that an applicant for licensure as a pharmacist must have obtained a passing score on the licensure examination not more than 12 years prior to application.

Section 2. Provides an effective date of upon the bill becoming a law.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

The provisions of this bill have no impact on municipalities and the counties under the requirements of Article VII, Section 18 of the Florida Constitution.

B. Public Records/Open Meetings Issues:

The provisions of this bill have no impact on public records or open meetings issues under the requirements of Article I, Section 24(a) and (b) of the Florida Constitution.

C. Trust Funds Restrictions:

The provisions of this bill have no impact on the trust fund restrictions under the requirements of Article III, Subsection 19(f) of the Florida Constitution.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Additional Information:

A. Committee Substitute – Statement of Substantial Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

The bill deletes provisions of the original bill that would have required the registration of pharmacy technicians.

B. Amendments:

None.