



149122

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/22/2011	.	
	.	
	.	
	.	

The Committee on Criminal Justice (Dockery) recommended the following:

Senate Amendment (with title amendment)

Delete lines 783 - 812
and insert:

(3) (a) A licensed pharmacist or other person employed by or at a pharmacy may not knowingly fail to timely report to the local county sheriff's office the name of any person who obtains or attempts to obtain a substance controlled by s. 893.03 which the licensed pharmacist or other person employed by or at the pharmacy knows or reasonably should have known was obtained or attempted to be obtained from the pharmacy through any fraudulent method or representation. A licensed pharmacist or



149122

13 other person employed by or at a pharmacy who fails to make such
14 a report within 24 hours after learning of the fraud or
15 attempted fraud commits a misdemeanor of the first degree,
16 punishable as provided in s. 775.082 or s. 775.083.

17 (b) A sufficient report of the fraudulent obtaining of or
18 attempt to obtain a controlled substance under this subsection
19 must contain, at a minimum, a copy of the prescription used or
20 presented and a narrative, including all information available
21 to the pharmacy regarding:

22 1. The transaction, such as the name and telephone number
23 of the prescribing physician;

24 2. The name, description, and any personal identification
25 information pertaining to the person presenting the
26 prescription; and

27 3. All other material information, such as photographic or
28 video surveillance of the transaction.

29
30 A licensed pharmacist or other person employed by or at a
31 pharmacy is not subject to disciplinary action for reporting
32 under this subsection.

33
34 ===== T I T L E A M E N D M E N T =====

35 And the title is amended as follows:

36 Delete lines 98 - 100

37 and insert:

38 subterfuge; providing that a licensed pharmacist or
39 other person employed by or at a pharmacy is not
40 subject to disciplinary action for reporting;