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LEGISLATIVE ACTION

Senate

House

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Floor: 7/AD/2R

04/28/2011 02:17 PM

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Senator Fasano moved the following:

**Senate Amendment (with title amendment)**

Delete lines 790 - 817

and insert:

(3) (a) A licensed pharmacist 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 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 who fails to make such a report within 24 hours after learning of the fraud or attempted fraud commits a misdemeanor of the first degree, punishable as



796860

14 provided in s. 775.082 or s. 775.083.

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

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

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

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

27  
28 A licensed pharmacist is not subject to disciplinary action for  
29 reporting under this subsection.

30  
31 ===== T I T L E A M E N D M E N T =====

32 And the title is amended as follows:

33 Delete lines 87 - 100

34 and insert:

35 465.015, F.S.; prohibiting a licensed pharmacist from  
36 knowingly failing to report to the local county  
37 sheriff's office the commission of a felony involving  
38 a person who acquires or obtains possession of a  
39 controlled substance by misrepresentation, fraud,  
40 forgery, deception, or subterfuge under certain  
41 conditions; providing penalties; providing  
42 requirements for reporting the commission of a felony



796860

43           that involves a person who acquires or obtains  
44           possession of a controlled substance by  
45           misrepresentation, fraud, forgery, deception, or  
46           subterfuge; providing that a licensed pharmacist is  
47           not subject to disciplinary action for reporting;  
48           amending