

Amendment No.1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION _____ (Y/N)
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN _____ (Y/N)
OTHER

1 Committee/Subcommittee hearing bill: Health & Human Services
2 Quality Subcommittee
3 Representative Logan offered the following:
4

Amendment (with title amendment)

6 Remove everything after the enacting clause and insert:

7 Section 1. Section 465.189, Florida Statutes, is amended
8 to read:

9 465.189 Administration of vaccines and epinephrine
10 autoinjection influenza virus immunizations.-

11 (1) A pharmacist ~~Pharmacists~~ may administer the following
12 ~~influenza virus immunizations to adults~~ within the framework of
13 an established protocol under a supervising ~~supervisory~~
14 ~~practitioner who is a~~ physician licensed under chapter 458 or
15 chapter 459:

16 (a) Influenza vaccine to an adult 18 years of age or
17 older.

18 (b) Shingles vaccine to an adult 60 years of age or older.

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19 (c) Pneumococcal vaccine to an adult 65 years of age or
20 older.

21 (d) Epinephrine using an autoinjector delivery system to
22 an adult 18 years of age or older who is suffering an
23 anaphylactic reaction.

24
25 ~~The Each~~ protocol must shall contain specific procedures for
26 addressing any unforeseen adverse allergic reaction to the
27 vaccine or epinephrine autoinjection influenza virus
28 immunizations.

29 (2) A pharmacist may not enter into a protocol unless he
30 or she maintains at least \$200,000 of professional liability
31 insurance and has completed training on administration of the
32 vaccines and epinephrine autoinjection in influenza virus
33 immunizations as provided in this section.

34 (3) A pharmacist who administers a vaccine or epinephrine
35 autoinjection must administering influenza virus immunizations
36 ~~shall~~ maintain and make available patient records using the same
37 standards for confidentiality and maintenance of such records as
38 those that are imposed on health care practitioners under s.
39 456.057. These records must shall be maintained for a minimum of
40 5 years.

41 (4) The decision by a supervising physician supervisory
42 practitioner to enter into a protocol under this section is a
43 professional decision on the part of the physician practitioner,
44 and a person may not interfere with a supervising physician's
45 supervisory practitioner's decision to enter as to entering into
46 such a protocol. A pharmacist may not enter into a protocol that

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47 is to be performed while acting as an employee without the
48 written approval of the owner of the pharmacy. Pharmacists shall
49 forward immunization records to the department for inclusion in
50 the state registry of immunization information.

51 (5) Any pharmacist seeking to administer a vaccine or
52 epinephrine autoinjection ~~influenza virus immunizations to~~
53 ~~adults~~ under this section must be certified to administer the
54 vaccine or epinephrine autoinjection ~~influenza virus~~
55 ~~immunizations~~ pursuant to a certification program approved by
56 the Board of Pharmacy in consultation with the Board of Medicine
57 and the Board of Osteopathic Medicine. The certification program
58 shall, at a minimum, require that the pharmacist attend at least
59 20 hours of continuing education classes approved by the board.
60 The program shall have a curriculum of instruction concerning
61 the safe and effective administration of the vaccines and
62 epinephrine autoinjection listed in subsection (1) ~~influenza~~
63 ~~virus immunizations~~, including, but not limited to, potential
64 adverse allergic reactions to the vaccines or epinephrine
65 autoinjection ~~influenza virus immunizations~~.

66 (6) The written protocol between the pharmacist and
67 supervising physician must include particular terms and
68 conditions imposed by the supervising physician upon the
69 pharmacist relating to the administration of a vaccine or
70 epinephrine autoinjection ~~influenza virus immunizations~~ by the
71 pharmacist. The written protocol must ~~shall~~ include, at a
72 minimum, specific categories and conditions among patients for
73 whom the supervising physician authorizes the pharmacist to
74 administer a vaccine or epinephrine autoinjection ~~influenza~~

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75 ~~virus immunizations~~. The terms, scope, and conditions set forth
76 in the written protocol between the pharmacist and the
77 supervising physician must be appropriate to the pharmacist's
78 training and certification for the vaccine or epinephrine
79 autoinjection immunization. ~~A pharmacist~~ ~~Pharmacists~~ who is ~~have~~
80 ~~been~~ delegated the authority to administer a vaccine or
81 epinephrine autoinjection ~~influenza virus immunizations~~ by the
82 supervising physician must ~~shall~~ provide evidence of current
83 certification by the Board of Pharmacy to the supervising
84 physician. A supervising physician must ~~physicians shall~~ review
85 the administration of the vaccine or epinephrine autoinjection
86 ~~influenza virus immunizations~~ by the pharmacist ~~pharmacists~~
87 under such physician's supervision pursuant to the written
88 protocol, and this review shall take place as outlined in the
89 written protocol. The process and schedule for the review shall
90 be outlined in the written protocol between the pharmacist and
91 the supervising physician.

92 (7) The pharmacist shall submit to the Board of Pharmacy a
93 copy of his or her protocol or written agreement to administer
94 the vaccine or epinephrine autoinjection ~~influenza virus~~
95 ~~immunizations~~.

96 Section 2. Subsection (13) of section 465.003, Florida
97 Statutes, is amended to read:

98 465.003 Definitions.—As used in this chapter, the term:

99 (13) "Practice of the profession of pharmacy" includes
100 compounding, dispensing, and consulting concerning contents,
101 therapeutic values, and uses of any medicinal drug; consulting
102 concerning therapeutic values and interactions of patent or

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103 proprietary preparations, whether pursuant to prescriptions or
104 in the absence and entirely independent of such prescriptions or
105 orders; and other pharmaceutical services. For purposes of this
106 subsection, "other pharmaceutical services" means the monitoring
107 of the patient's drug therapy and assisting the patient in the
108 management of his or her drug therapy, and includes review of
109 the patient's drug therapy and communication with the patient's
110 prescribing health care provider as licensed under chapter 458,
111 chapter 459, chapter 461, or chapter 466, or similar statutory
112 provision in another jurisdiction, or such provider's agent or
113 such other persons as specifically authorized by the patient,
114 regarding the drug therapy. However, ~~nothing in~~ this subsection
115 does not ~~may be interpreted to~~ permit an alteration of a
116 prescriber's directions, the diagnosis or treatment of any
117 disease, the initiation of any drug therapy, the practice of
118 medicine, or the practice of osteopathic medicine, unless
119 otherwise permitted by law. The term "practice of the profession
120 of pharmacy" ~~also~~ includes any other act, service, operation,
121 research, or transaction incidental to, or forming a part of,
122 any of the foregoing acts, requiring, involving, or employing
123 the science or art of any branch of the pharmaceutical
124 profession, study, or training, and shall expressly permit a
125 pharmacist to transmit information from persons authorized to
126 prescribe medicinal drugs to their patients. The term practice
127 ~~of the profession of pharmacy~~ also includes the administration
128 of certain vaccines and epinephrine autoinjection influenza
129 ~~virus immunizations~~ to adults pursuant to s. 465.189.

130 Section 3. This act shall take effect July 1, 2012.

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

Remove the entire title and insert:

A bill to be entitled

An act relating to pharmacy; amending s. 465.189,
F.S.; revising the types of vaccines that pharmacists
may administer; authorizing pharmacists to administer
an epinephrine autoinjection under certain
circumstances; revising protocol requirements for
vaccine administration and the duties of supervising
physicians under such protocols; revising requirements
for training programs, certifications, and patient
records related to vaccine administration; amending s.
465.003, F.S.; conforming terminology; providing an
effective date.