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LEGISLATIVE ACTION

Senate	.	House
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Floor: 1/AD/2R	.	Floor: SENA1/C
05/02/2014 01:43 PM	.	05/02/2014 09:06 PM
	.	

Senator Grimsley moved the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Subsection (2) of section 465.004, Florida
Statutes, is amended to read:

465.004 Board of Pharmacy.—

(2) Seven members of the board must be licensed pharmacists
who are residents of this state and who have been engaged in the
practice of the profession of pharmacy in this state for at
least 4 years and, to the extent practicable, represent the



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12 various pharmacy practice settings. Of the pharmacist members,
13 two ~~one~~ must be currently engaged in the practice of pharmacy in
14 a community pharmacy, two ~~one~~ must be currently engaged in the
15 practice of pharmacy in a Class II institutional pharmacy or a
16 Modified Class II institutional pharmacy, and three must ~~five~~
17 ~~shall~~ be pharmacists licensed in this state irrespective of
18 practice setting. The remaining two members must be residents of
19 the state who have never been licensed as pharmacists and who
20 are in no way connected with the practice of the profession of
21 pharmacy. No person may be appointed as a consumer member who is
22 in any way connected with a drug manufacturer or wholesaler. At
23 least one member of the board must be 60 years of age or older.
24 The Governor shall appoint members to the board in accordance
25 with this subsection as members' terms expire or as a vacancy
26 occurs until the composition of the board complies with the
27 requirements of this subsection.

28 Section 2. Subsection (1) of section 465.014, Florida
29 Statutes, is amended to read:

30 465.014 Pharmacy technician.—

31 (1) A person other than a licensed pharmacist or pharmacy
32 intern may not engage in the practice of the profession of
33 pharmacy, except that a licensed pharmacist may delegate to
34 pharmacy technicians who are registered pursuant to this section
35 those duties, tasks, and functions that do not fall within the
36 purview of s. 465.003(13). All such delegated acts must ~~shall~~ be
37 performed under the direct supervision of a licensed pharmacist
38 who is ~~shall be~~ responsible for all such acts performed by
39 persons under his or her supervision. A ~~pharmacy~~ registered
40 pharmacy technician, under the supervision of a pharmacist, may



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41 initiate or receive communications with a practitioner or his or
42 her agent, on behalf of a patient, regarding refill
43 authorization requests. A licensed pharmacist may not supervise
44 more than one registered pharmacy technician unless otherwise
45 permitted by the guidelines adopted by the board. The board
46 shall establish guidelines to be followed by licensees or
47 permittees in determining the circumstances under which a
48 licensed pharmacist may supervise more than one ~~but not more~~
49 ~~than three~~ pharmacy technician technicians.

50 Section 3. Subsections (1) and (2) of section 465.189,
51 Florida Statutes, are amended to read:

52 465.189 Administration of vaccines and epinephrine
53 autoinjection.—

54 (1) In accordance with guidelines of the Centers for
55 Disease Control and Prevention for each recommended immunization
56 or vaccine, a pharmacist may administer the following vaccines
57 to an adult within the framework of an established protocol
58 under a supervising physician licensed under chapter 458 or
59 chapter 459:

- 60 (a) Influenza vaccine.
- 61 (b) Pneumococcal vaccine.
- 62 (c) Meningococcal vaccine.
- 63 (d) Shingles vaccine.

64 ~~(2) In accordance with guidelines of the Centers for~~
65 ~~Disease Control and Prevention, a pharmacist may administer the~~
66 ~~shingles vaccine within the framework of an established protocol~~
67 ~~and pursuant to a written or electronic prescription issued to~~
68 ~~the patient by a physician licensed under chapter 458 or chapter~~
69 ~~459.~~



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70 Section 4. Subsection (2) of section 456.42, Florida
71 Statutes, is amended to read:

72 456.42 Written prescriptions for medicinal drugs.—

73 (2) A written prescription for a controlled substance
74 listed in chapter 893 must have the quantity of the drug
75 prescribed in both textual and numerical formats, must be dated
76 in numerical, month/day/year format, or with the abbreviated
77 month written out, or the month written out in whole ~~on the face~~
78 ~~of the prescription~~, and must be either written on a
79 standardized counterfeit-proof prescription pad produced by a
80 vendor approved by the department or electronically prescribed
81 as that term is used in s. 408.0611. As a condition of being an
82 approved vendor, a prescription pad vendor must submit a monthly
83 report to the department that ~~which~~, at a minimum, documents the
84 number of prescription pads sold and identifies the purchasers.
85 The department may, by rule, require the reporting of additional
86 information.

87 Section 5. Paragraph (d) of subsection (2) of section
88 893.04, Florida Statutes, is amended to read:

89 893.04 Pharmacist and practitioner.—

90 (2)

91 (d) Each written prescription prescribed by a practitioner
92 in this state for a controlled substance listed in Schedule II,
93 Schedule III, or Schedule IV must include both a written and a
94 numerical notation of the quantity of the controlled substance
95 prescribed ~~on the face of the prescription~~ and a notation of the
96 date in numerical, month/day/year format, or, with the
97 abbreviated month written out, or the month written out in whole
98 ~~on the face of the prescription~~. A pharmacist may, upon



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99 verification by the prescriber, document any information
100 required by this paragraph. If the prescriber is not available
101 to verify a prescription, the pharmacist may dispense the
102 controlled substance but may insist that the person to whom the
103 controlled substance is dispensed provide valid photographic
104 identification. If a prescription includes a numerical notation
105 of the quantity of the controlled substance or date, but does
106 not include the quantity or date written out in textual format,
107 the pharmacist may dispense the controlled substance without
108 verification by the prescriber of the quantity or date if the
109 pharmacy previously dispensed another prescription for the
110 person to whom the prescription was written.

111 Section 6. This act shall take effect July 1, 2014.

112
113 ===== T I T L E A M E N D M E N T =====

114 And the title is amended as follows:

115 Delete everything before the enacting clause
116 and insert:

117 A bill to be entitled
118 An act relating to pharmacy; amending s. 465.004,
119 F.S.; revising the composition of the Board of
120 Pharmacy; amending s. 465.014, F.S.; increasing the
121 number of registered pharmacy technicians which a
122 licensed pharmacist may supervise; amending s.
123 465.189, F.S.; authorizing pharmacists to administer
124 meningococcal and shingles vaccines under certain
125 circumstances; amending ss. 456.42 and 893.04, F.S.;
126 requiring written prescriptions for specified
127 controlled substances to be legibly dated in a



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specified format; providing an effective date.