

By the Committees on Appropriations; Finance and Tax; and Health Policy; and Senator Grimsley

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1 A bill to be entitled
2 An act relating to access to health care services;
3 creating s. 296.42, F.S.; directing the Department of
4 Veterans' Affairs to contract for a study to determine
5 the need and location for additional state veterans'
6 nursing homes; directing the department to submit the
7 study to the Governor and the Legislature; providing
8 study criteria for ranking each county according to
9 need; providing site selection criteria; requiring the
10 approval of the Governor and Cabinet for site
11 selection; requiring the department to use specified
12 studies to select new nursing home sites; directing
13 the department to contract for subsequent studies and
14 to submit the studies to the Governor and the
15 Legislature; amending ss. 458.347 and 459.022, F.S.;
16 revising the authority of a licensed physician
17 assistant to order medication under the direction of a
18 supervisory physician for a specified patient;
19 amending s. 464.012, F.S.; authorizing an advanced
20 registered nurse practitioner to order medication for
21 administration to a specified patient; amending s.
22 465.003, F.S.; revising the term "prescription" to
23 exclude an order for drugs or medicinal supplies by a
24 licensed practitioner that is dispensed for certain
25 administration; creating s. 624.27, F.S.; defining
26 terms; specifying that a direct primary care agreement
27 does not constitute insurance and is not subject to
28 the Florida Insurance Code; specifying that entering
29 into a direct primary care agreement does not

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30 constitute the business of insurance and is not
31 subject to the code; providing that a health care
32 provider is not required to obtain a certificate of
33 authority or license to market, sell, or offer to sell
34 a direct primary care agreement; specifying
35 requirements for a direct primary care agreement;
36 amending s. 766.1115, F.S.; redefining terms relating
37 to agency relationships with governmental health care
38 contractors; deleting an obsolete date; extending
39 sovereign immunity to employees or agents of a health
40 care provider that executes a contract with a
41 governmental contractor; clarifying that a receipt of
42 specified notice must be acknowledged by a patient or
43 the patient's representative at the initial visit;
44 requiring the posting of notice that a specified
45 health care provider is an agent of a governmental
46 contractor; amending s. 768.28, F.S.; redefining the
47 term "officer, employee, or agent" to include
48 employees or agents of a health care provider;
49 amending s. 893.02, F.S.; revising the term
50 "administer" to include the term "administration";
51 revising the term "prescription" to exclude an order
52 for drugs or medicinal supplies by a licensed
53 practitioner that is dispensed for certain
54 administration; amending s. 893.04, F.S.; conforming
55 provisions to changes made by the act; amending s.
56 893.05, F.S.; authorizing a licensed practitioner to
57 authorize a licensed physician assistant or advanced
58 registered nurse practitioner to order controlled

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59 substances for a specified patient under certain
60 circumstances; reenacting ss. 400.462(26), 401.445(1),
61 409.906(18), and 766.103(3), F.S., to incorporate the
62 amendments made to ss. 458.347 and 459.022, F.S., in
63 references thereto; reenacting ss. 401.445(1) and
64 766.103(3), F.S., to incorporate the amendment made to
65 s. 464.012, F.S., in references thereto; reenacting
66 ss. 409.9201(1)(a), 458.331(1)(pp), 459.015(1)(rr),
67 465.014(1), 465.015(2)(c), 465.016(1)(s),
68 465.022(5)(j), 465.023(1)(h), 465.1901, 499.003(43),
69 and 831.30(1), F.S., to incorporate the amendment made
70 to s. 465.003, F.S., in references thereto; reenacting
71 ss. 112.0455(5)(i), 381.986(7)(b), 440.102(1)(l),
72 458.331(1)(pp), 459.015(1)(rr), 465.015(3),
73 465.016(1)(s), 465.022(5)(j), 465.023(1)(h),
74 499.0121(14), 768.36(1)(b), 810.02(3)(f),
75 812.014(2)(c), 856.015(1)(c), 944.47(1)(a), 951.22(1),
76 985.711(1)(a), 1003.57(1)(i), and 1006.09(8), F.S., to
77 incorporate the amendment made to s. 893.02, F.S., in
78 references thereto; reenacting s. 893.0551(3)(e),
79 F.S., to incorporate the amendment made to s. 893.04,
80 F.S., in a reference thereto; reenacting s.
81 893.0551(3)(d), F.S., to incorporate the amendment
82 made to s. 893.05, F.S., in a reference thereto;
83 providing an effective date.

84

85 Be It Enacted by the Legislature of the State of Florida:

86

87 Section 1. Section 296.42, Florida Statutes, is created to

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88 read:

89 296.42 Site-selection process for state veterans' nursing
90 homes.-91 (1) The department shall contract for a site-selection
92 study to determine the need for new state veterans' nursing
93 homes and the most appropriate counties in which to locate the
94 homes based on the greatest level of need. The department shall
95 submit the study to the Governor, the President of the Senate,
96 and the Speaker of the House of Representatives by November 1,
97 2015.98 (2) The site-selection study must use the following
99 criteria to rank each county according to need:100 (a) The distance from the geographic center of the county
101 to the nearest existing state veterans' nursing home.102 (b) The number of veterans aged 65 years or older residing
103 in the county.104 (c) The presence of an existing federal Veterans Health
105 Administration medical center or outpatient clinic in the
106 county.107 (d) Elements of emergency health care in the county, as
108 determined by:109 1. The number of general hospitals.110 2. The number of emergency room holding beds per hospital.111 The term "emergency room holding bed" means a bed located in the
112 emergency room of a hospital licensed under chapter 395 which is
113 used for a patient who is admitted to the hospital through the
114 emergency room but who is waiting for an available bed in an
115 inpatient unit of the hospital.116 3. The number of employed physicians per hospital in the

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117 emergency room 24 hours per day.

118 (e) The number of existing community nursing home beds per
119 1,000 males aged 65 years or older residing in the county.

120 (f) The presence of an accredited educational institution
121 offering health care programs in the county.

122 (g) The county poverty rate.

123 (3) For each new nursing home, the department shall select
124 the highest-ranked county in the applicable study under this
125 section which does not have a veterans' nursing home. If the
126 highest-ranked county cannot serve as the site, the department
127 shall select the next highest-ranked county. The selection is
128 subject to the approval of the Governor and Cabinet.

129 (4) The department shall use the 2014 site-selection study
130 to select a county for any new state veterans' nursing home
131 authorized before November 1, 2015.

132 (5) The department shall use the November 2015 site-
133 selection study ranking to select each new state veterans'
134 nursing home site authorized before July 1, 2020.

135 (6) The department shall contract for and submit a new
136 site-selection study, which uses the county-ranking criteria
137 under subsections (2) and (3), to the Governor, the President of
138 the Senate, and the Speaker of the House of Representatives by
139 November 1, 2019, and every 4 years thereafter. Each study
140 applies to the 4-year selection period that begins on July 1
141 after the date the study is due.

142 Section 2. Paragraph (g) of subsection (4) of section
143 458.347, Florida Statutes, is amended to read:

144 458.347 Physician assistants.—

145 (4) PERFORMANCE OF PHYSICIAN ASSISTANTS.—

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146 (g) A supervisory physician may delegate to a licensed
147 physician assistant the authority to, and the licensed physician
148 assistant acting under the direction of the supervisory
149 physician may, order any medication ~~medications~~ for
150 administration to the supervisory physician's patient ~~during his~~
151 ~~or her care~~ in a facility licensed under chapter 395,
152 notwithstanding any provisions in chapter 465 or chapter 893
153 which may prohibit this delegation. For the purpose of this
154 paragraph, an order is not considered a prescription. A licensed
155 physician assistant working in a facility that is licensed under
156 chapter 395 may order any medication under the direction of the
157 supervisory physician.

158 Section 3. Paragraph (f) of subsection (4) of section
159 459.022, Florida Statutes, is amended to read:

160 459.022 Physician assistants.—

161 (4) PERFORMANCE OF PHYSICIAN ASSISTANTS.—

162 (f) A supervisory physician may delegate to a licensed
163 physician assistant the authority to, and the licensed physician
164 assistant acting under the direction of the supervisory
165 physician may, order any medication ~~medications~~ for
166 administration to the supervisory physician's patient ~~during his~~
167 ~~or her care~~ in a facility licensed under chapter 395,
168 notwithstanding any provisions in chapter 465 or chapter 893
169 which may prohibit this delegation. For the purpose of this
170 paragraph, an order is not considered a prescription. A licensed
171 physician assistant working in a facility that is licensed under
172 chapter 395 may order any medication under the direction of the
173 supervisory physician.

174 Section 4. Paragraph (a) of subsection (3) of section

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175 464.012, Florida Statutes, is amended to read:

176 464.012 Certification of advanced registered nurse
177 practitioners; fees.—

178 (3) An advanced registered nurse practitioner shall perform
179 those functions authorized in this section within the framework
180 of an established protocol that is filed with the board upon
181 biennial license renewal and within 30 days after entering into
182 a supervisory relationship with a physician or changes to the
183 protocol. The board shall review the protocol to ensure
184 compliance with applicable regulatory standards for protocols.
185 The board shall refer to the department licensees submitting
186 protocols that are not compliant with the regulatory standards
187 for protocols. A practitioner currently licensed under chapter
188 458, chapter 459, or chapter 466 shall maintain supervision for
189 directing the specific course of medical treatment. Within the
190 established framework, an advanced registered nurse practitioner
191 may:

192 (a) Monitor and alter drug therapies and order any
193 medication for administration to a patient in a facility
194 licensed under chapter 395.

195 Section 5. Subsection (14) of section 465.003, Florida
196 Statutes, is amended to read:

197 465.003 Definitions.—As used in this chapter, the term:

198 (14) "Prescription" includes any order for drugs or
199 medicinal supplies written or transmitted by any means of
200 communication by a ~~duly~~ licensed practitioner authorized by the
201 laws of this ~~the~~ state to prescribe such drugs or medicinal
202 supplies and intended to be dispensed by a pharmacist, except
203 for an order that is dispensed for administration. The term also

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204 includes an orally transmitted order by the lawfully designated
205 agent of such practitioner; ~~The term also includes an order~~
206 written or transmitted by a practitioner licensed to practice in
207 a jurisdiction other than this state, but only if the pharmacist
208 called upon to dispense such order determines, in the exercise
209 of her or his professional judgment, that the order is valid and
210 necessary for the treatment of a chronic or recurrent illness;
211 and. The term "prescription" also includes a pharmacist's order
212 for a product selected from the formulary created pursuant to s.
213 465.186. Prescriptions may be retained in written form or the
214 pharmacist may cause them to be recorded in a data processing
215 system, provided that such order can be produced in printed form
216 upon lawful request.

217 Section 6. Section 624.27, Florida Statutes, is created to
218 read:

219 624.27 Application of the Florida Insurance Code as to
220 direct primary care agreements.-

221 (1) As used in this section, the term:

222 (a) "Direct primary care agreement" means a contract
223 between a primary care provider or primary care group practice
224 and a patient, the patient's legal representative, or an
225 employer which satisfies the criteria in subsection (4) and does
226 not indemnify for services provided by a third party.

227 (b) "Primary care provider" means a health care provider
228 licensed under chapter 458, chapter 459, or chapter 464 who
229 provides medical services to patients which are commonly
230 provided without referral from another health care provider.

231 (c) "Primary care service" means the screening, assessment,
232 diagnosis, and treatment of a patient for the purpose of

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233 promoting health or detecting and managing disease or injury
234 within the competency and training of the primary care provider.

235 (2) A direct primary care agreement does not constitute
236 insurance and is not subject to the Florida Insurance Code. The
237 act of entering into a direct primary care agreement does not
238 constitute the business of insurance and is not subject to the
239 Florida Insurance Code.

240 (3) A primary care provider or an agent of a primary care
241 provider is not required to obtain a certificate of authority or
242 license under this code to market, sell, or offer to sell a
243 direct primary care agreement.

244 (4) For purposes of this section, a direct primary care
245 agreement must:

246 (a) Be in writing.

247 (b) Be signed by the primary care provider or an agent of
248 the primary care provider and the patient or the patient's legal
249 representative.

250 (c) Allow a party to terminate the agreement by written
251 notice to the other party after a period specified in the
252 agreement.

253 (d) Describe the scope of the primary care services that
254 are covered by the monthly fee.

255 (e) Specify the monthly fee and any fees for primary care
256 services not covered by the monthly fee.

257 (f) Specify the duration of the agreement and any automatic
258 renewal provisions.

259 (g) Offer a refund to the patient of monthly fees paid in
260 advance if the primary care provider ceases to offer primary
261 care services for any reason.

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262 (h) State that the agreement is not health insurance.

263 Section 7. Paragraphs (a) and (d) of subsection (3) and
264 subsections (4) and (5) of section 766.1115, Florida Statutes,
265 are amended to read:

266 766.1115 Health care providers; creation of agency
267 relationship with governmental contractors.—

268 (3) DEFINITIONS.—As used in this section, the term:

269 (a) "Contract" means an agreement executed in compliance
270 with this section between a health care provider and a
271 governmental contractor which allows the health care provider,
272 or any employee or agent of the health care provider, to deliver
273 health care services to low-income recipients as an agent of the
274 governmental contractor. The contract must be for volunteer,
275 uncompensated services, ~~except as provided in paragraph (4)(g).~~
276 For services to qualify as volunteer, uncompensated services
277 under this section, the health care provider must receive no
278 compensation from the governmental contractor for any services
279 provided under the contract and must not bill or accept
280 compensation from the recipient, or a public or private third-
281 party payor, for the specific services provided to the low-
282 income recipients covered by the contract except as provided in
283 paragraph (4)(g). A free clinic as described in subparagraph
284 (d)14. may receive a legislative appropriation, a grant through
285 a legislative appropriation, or a grant from a governmental
286 entity or nonprofit corporation to support the delivery of such
287 contracted services by volunteer health care providers,
288 including the employment of health care providers to supplement,
289 coordinate, or support the delivery of services by volunteer
290 health care providers. Such an appropriation or grant does not

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291 constitute compensation under this paragraph from the
292 governmental contractor for services provided under the
293 contract, and receipt and use of the appropriation or grant does
294 not constitute the acceptance of compensation under this
295 paragraph for the specific services provided to the low-income
296 recipients covered by the contract.

297 (d) "Health care provider" or "provider" means:

298 1. A birth center licensed under chapter 383.

299 2. An ambulatory surgical center licensed under chapter
300 395.

301 3. A hospital licensed under chapter 395.

302 4. A physician or physician assistant licensed under
303 chapter 458.

304 5. An osteopathic physician or osteopathic physician
305 assistant licensed under chapter 459.

306 6. A chiropractic physician licensed under chapter 460.

307 7. A podiatric physician licensed under chapter 461.

308 8. A registered nurse, nurse midwife, licensed practical
309 nurse, or advanced registered nurse practitioner licensed or
310 registered under part I of chapter 464 or any facility which
311 employs nurses licensed or registered under part I of chapter
312 464 to supply all or part of the care delivered under this
313 section.

314 9. A midwife licensed under chapter 467.

315 10. A health maintenance organization certificated under
316 part I of chapter 641.

317 11. A health care professional association ~~and its~~
318 ~~employees~~ or a corporate medical group ~~and its employees~~.

319 12. Any other medical facility the primary purpose of which

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320 is to deliver human medical diagnostic services or which
321 delivers nonsurgical human medical treatment, and which includes
322 an office maintained by a provider.

323 13. A dentist or dental hygienist licensed under chapter
324 466.

325 14. A free clinic that delivers only medical diagnostic
326 services or nonsurgical medical treatment free of charge to all
327 low-income recipients.

328 15. Any other health care professional, practitioner,
329 provider, or facility under contract with a governmental
330 contractor, including a student enrolled in an accredited
331 program that prepares the student for licensure as any one of
332 the professionals listed in subparagraphs 4.-9.

333

334 The term includes any nonprofit corporation qualified as exempt
335 from federal income taxation under s. 501(a) of the Internal
336 Revenue Code, and described in s. 501(c) of the Internal Revenue
337 Code, which delivers health care services provided by licensed
338 professionals listed in this paragraph, any federally funded
339 community health center, and any volunteer corporation or
340 volunteer health care provider that delivers health care
341 services.

342 (4) CONTRACT REQUIREMENTS.—A health care provider that
343 executes a contract with a governmental contractor to deliver
344 health care services ~~on or after April 17, 1992,~~ as an agent of
345 the governmental contractor, or any employee or agent of such
346 health care provider, is an agent for purposes of s. 768.28(9),
347 while acting within the scope of duties under the contract, if
348 the contract complies with the requirements of this section and

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349 regardless of whether the individual treated is later found to
350 be ineligible. A health care provider, or any employee or agent
351 of such health care provider, shall continue to be an agent for
352 purposes of s. 768.28(9) for 30 days after a determination of
353 ineligibility to allow for treatment until the individual
354 transitions to treatment by another health care provider. A
355 health care provider under contract with the state, or any
356 employee or agent of such health care provider, may not be named
357 as a defendant in any action arising out of medical care or
358 treatment ~~provided on or after April 17, 1992,~~ under contracts
359 entered into under this section. The contract must provide that:

360 (a) The right of dismissal or termination of any health
361 care provider delivering services under the contract is retained
362 by the governmental contractor.

363 (b) The governmental contractor has access to the patient
364 records of any health care provider delivering services under
365 the contract.

366 (c) Adverse incidents and information on treatment outcomes
367 must be reported by any health care provider to the governmental
368 contractor if the incidents and information pertain to a patient
369 treated under the contract. The health care provider shall
370 submit the reports required by s. 395.0197. If an incident
371 involves a professional licensed by the Department of Health or
372 a facility licensed by the Agency for Health Care
373 Administration, the governmental contractor shall submit such
374 incident reports to the appropriate department or agency, which
375 shall review each incident and determine whether it involves
376 conduct by the licensee that is subject to disciplinary action.
377 All patient medical records and any identifying information

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378 contained in adverse incident reports and treatment outcomes
379 which are obtained by governmental entities under this paragraph
380 are confidential and exempt from the provisions of s. 119.07(1)
381 and s. 24(a), Art. I of the State Constitution.

382 (d) Patient selection and initial referral must be made by
383 the governmental contractor or the provider. Patients may not be
384 transferred to the provider based on a violation of the
385 antidumping provisions of the Omnibus Budget Reconciliation Act
386 of 1989, the Omnibus Budget Reconciliation Act of 1990, or
387 chapter 395.

388 (e) If emergency care is required, the patient need not be
389 referred before receiving treatment, but must be referred within
390 48 hours after treatment is commenced or within 48 hours after
391 the patient has the mental capacity to consent to treatment,
392 whichever occurs later.

393 (f) The provider is subject to supervision and regular
394 inspection by the governmental contractor.

395 ~~(g) As an agent of the governmental contractor for purposes~~
396 ~~of s. 768.28(9), while acting within the scope of duties under~~
397 ~~the contract,~~ A health care provider licensed under chapter 466,
398 as an agent of the governmental contractor for purposes of s.
399 768.28(9), may allow a patient, or a parent or guardian of the
400 patient, to voluntarily contribute a monetary amount to cover
401 costs of dental laboratory work related to the services provided
402 to the patient within the scope of duties under the contract.
403 This contribution may not exceed the actual cost of the dental
404 laboratory charges.

405
406 A governmental contractor that is also a health care provider is

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407 not required to enter into a contract under this section with
408 respect to the health care services delivered by its employees.

409 (5) NOTICE OF AGENCY RELATIONSHIP.—The governmental
410 contractor must provide written notice to each patient, or the
411 patient's legal representative, receipt of which must be
412 acknowledged in writing at the initial visit, that the provider
413 is an agent of the governmental contractor and that the
414 exclusive remedy for injury or damage suffered as the result of
415 any act or omission of the provider or of any employee or agent
416 thereof acting within the scope of duties pursuant to the
417 contract is by commencement of an action pursuant to the
418 ~~provisions of s. 768.28. Thereafter, and~~ with respect to any
419 federally funded community health center, the notice
420 requirements may be met by posting in a place conspicuous to all
421 persons a notice that the health care provider ~~federally funded~~
422 ~~community health center~~ is an agent of the governmental
423 contractor and that the exclusive remedy for injury or damage
424 suffered as the result of any act or omission of the provider or
425 of any employee or agent thereof acting within the scope of
426 duties pursuant to the contract is by commencement of an action
427 pursuant to ~~the provisions of s. 768.28.~~

428 Section 8. Paragraph (b) of subsection (9) of section
429 768.28, Florida Statutes, is amended to read:

430 768.28 Waiver of sovereign immunity in tort actions;
431 recovery limits; limitation on attorney fees; statute of
432 limitations; exclusions; indemnification; risk management
433 programs.—

434 (9)

435 (b) As used in this subsection, the term:

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436 1. "Employee" includes any volunteer firefighter.

437 2. "Officer, employee, or agent" includes, but is not
438 limited to, any health care provider, and its employees or
439 agents, when providing services pursuant to s. 766.1115; any
440 nonprofit independent college or university located and
441 chartered in this state which owns or operates an accredited
442 medical school, and its employees or agents, when providing
443 patient services pursuant to paragraph (10)(f); and any public
444 defender or her or his employee or agent, including, among
445 others, an assistant public defender and an investigator.

446 Section 9. Subsections (1) and (22) of section 893.02,
447 Florida Statutes, are amended to read:

448 893.02 Definitions.—The following words and phrases as used
449 in this chapter shall have the following meanings, unless the
450 context otherwise requires:

451 (1) "Administer" or "administration" means the direct
452 application of a controlled substance, whether by injection,
453 inhalation, ingestion, or any other means, to the body of a
454 person or animal.

455 (22) "Prescription" ~~means and~~ includes any an order for
456 drugs or medicinal supplies which is written, ~~signed,~~ or
457 transmitted by any ~~word of mouth, telephone, telegram, or other~~
458 means of communication by a ~~duly~~ licensed practitioner
459 authorized licensed by the laws of this ~~the~~ state to prescribe
460 such drugs or medicinal supplies, is issued in good faith and in
461 the course of professional practice, is intended to be ~~filled,~~
462 ~~compounded, or~~ dispensed by a another person authorized licensed
463 by the laws of this ~~the~~ state to do so, and meets ~~meeting~~ the
464 requirements of s. 893.04.

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465 (a) The term also includes an order for drugs or medicinal
466 supplies ~~se~~ transmitted or written by a physician, dentist,
467 veterinarian, or other practitioner licensed to practice in a
468 state other than Florida, but only if the pharmacist called upon
469 to fill such an order determines, in the exercise of his or her
470 professional judgment, that the order was issued pursuant to a
471 valid patient-physician relationship, that it is authentic, and
472 that the drugs or medicinal supplies ~~se~~ ordered are considered
473 necessary for the continuation of treatment of a chronic or
474 recurrent illness.

475 (b) The term does not include an order that is dispensed
476 for administration by a licensed practitioner authorized by the
477 laws of this state to administer such drugs or medicinal
478 supplies.

479 (c) ~~However,~~ If the physician writing the prescription is
480 not known to the pharmacist, the pharmacist shall obtain proof
481 to a reasonable certainty of the validity of the said
482 prescription.

483 (d) A prescription ~~order~~ for a controlled substance may
484 ~~shall~~ not be issued on the same prescription blank with another
485 prescription ~~order~~ for a controlled substance that which is
486 named or described in a different schedule or with another, ~~nor~~
487 ~~shall any prescription order for a controlled substance be~~
488 ~~issued on the same prescription blank as a prescription order~~
489 for a medicinal drug, as defined in s. 465.003(8), that is which
490 ~~does not fall within the definition of a controlled substance as~~
491 ~~defined in this act.~~

492 Section 10. Paragraphs (a), (d), and (f) of subsection (2)
493 of section 893.04, Florida Statutes, are amended to read:

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494 893.04 Pharmacist and practitioner.—

495 (2) (a) A pharmacist may not dispense a controlled substance
496 listed in Schedule II, Schedule III, or Schedule IV to any
497 patient or patient's agent without first determining, in the
498 exercise of her or his professional judgment, that the
499 prescription ~~order~~ is valid. The pharmacist may dispense the
500 controlled substance, in the exercise of her or his professional
501 judgment, when the pharmacist or pharmacist's agent has obtained
502 satisfactory patient information from the patient or the
503 patient's agent.

504 (d) Each ~~written~~ prescription written ~~prescribed~~ by a
505 practitioner in this state for a controlled substance listed in
506 Schedule II, Schedule III, or Schedule IV must include ~~both~~ a
507 written and a numerical notation of the quantity of the
508 controlled substance prescribed and a notation of the date in
509 numerical, month/day/year format, or with the abbreviated month
510 written out, or the month written out in whole. A pharmacist
511 may, upon verification by the prescriber, document any
512 information required by this paragraph. If the prescriber is not
513 available to verify a prescription, the pharmacist may dispense
514 the controlled substance, but may insist that the person to whom
515 the controlled substance is dispensed provide valid photographic
516 identification. If a prescription includes a numerical notation
517 of the quantity of the controlled substance or date, but does
518 not include the quantity or date written out in textual format,
519 the pharmacist may dispense the controlled substance without
520 verification by the prescriber of the quantity or date if the
521 pharmacy previously dispensed another prescription for the
522 person to whom the prescription was written.

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523 (f) A pharmacist may not knowingly dispense ~~fill~~ a
524 prescription that has been forged for a controlled substance
525 listed in Schedule II, Schedule III, or Schedule IV.

526 Section 11. Subsection (1) of section 893.05, Florida
527 Statutes, is amended to read:

528 893.05 Practitioners and persons administering controlled
529 substances in their absence.—

530 (1) (a) A practitioner, in good faith and in the course of
531 his or her professional practice only, may prescribe,
532 administer, dispense, mix, or otherwise prepare a controlled
533 substance, or the practitioner may cause the controlled
534 substance ~~same~~ to be administered by a licensed nurse or an
535 intern practitioner under his or her direction and supervision
536 only.

537 (b) Pursuant to s. 458.347(4)(g), s. 459.022(4)(f), or s.
538 464.012(3), as applicable, a practitioner who supervises a
539 licensed physician assistant or advanced registered nurse
540 practitioner may authorize the licensed physician assistant or
541 advanced registered nurse practitioner to order controlled
542 substances for administration to a patient in a facility
543 licensed under chapter 395.

544 (c) A veterinarian may ~~se~~ prescribe, administer, dispense,
545 mix, or prepare a controlled substance for use on animals only,
546 and may cause the controlled substance ~~it~~ to be administered by
547 an assistant or orderly under the veterinarian's direction and
548 supervision only.

549 (d) A certified optometrist licensed under chapter 463 may
550 not administer or prescribe a controlled substance listed in
551 Schedule I or Schedule II of s. 893.03.

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552 Section 12. Subsection (26) of s. 400.462, subsection (1)
553 of s. 401.445, subsection (18) of s. 409.906, and subsection (3)
554 of s. 766.103, Florida Statutes, are reenacted for the purpose
555 of incorporating the amendments made by this act to ss. 458.347
556 and 459.022, Florida Statutes, in references thereto.

557 Section 13. Subsection (1) of s. 401.445 and subsection (3)
558 of s. 766.103, Florida Statutes, are reenacted for the purpose
559 of incorporating the amendment made by this act to s. 464.012,
560 Florida Statutes, in references thereto.

561 Section 14. Paragraph (a) of subsection (1) of s. 409.9201,
562 paragraph (pp) of subsection (1) of s. 458.331, paragraph (rr)
563 of subsection (1) of s. 459.015, subsection (1) of s. 465.014,
564 paragraph (c) of subsection (2) of s. 465.015, paragraph (s) of
565 subsection (1) of s. 465.016, paragraph (j) of subsection (5) of
566 s. 465.022, paragraph (h) of subsection (1) of s. 465.023, s.
567 465.1901, subsection (43) of s. 499.003, and subsection (1) of
568 s. 831.30, Florida Statutes, are reenacted for the purpose of
569 incorporating the amendment made by this act to s. 465.003,
570 Florida Statutes, in references thereto.

571 Section 15. Paragraph (i) of subsection (5) of s. 112.0455,
572 paragraph (b) of subsection (7) of s. 381.986, paragraph (l) of
573 subsection (1) of s. 440.102, paragraph (pp) of subsection (1)
574 of s. 458.331, paragraph (rr) of subsection (1) of s. 459.015,
575 subsection (3) of s. 465.015, paragraph (s) of subsection (1) of
576 s. 465.016, paragraph (j) of subsection (5) of s. 465.022,
577 paragraph (h) of subsection (1) of s. 465.023, subsection (14)
578 of s. 499.0121, paragraph (b) of subsection (1) of s. 768.36,
579 paragraph (f) of subsection (3) of s. 810.02, paragraph (c) of
580 subsection (2) of s. 812.014, paragraph (c) of subsection (1) of

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581 s. 856.015, paragraph (a) of subsection (1) of s. 944.47,
582 subsection (1) of s. 951.22, paragraph (a) of subsection (1) of
583 s. 985.711, paragraph (i) of subsection (1) of s. 1003.57, and
584 subsection (8) of s. 1006.09, Florida Statutes, are reenacted
585 for the purpose of incorporating the amendment made by this act
586 to s. 893.02, Florida Statutes, in references thereto.

587 Section 16. Paragraph (e) of subsection (3) of s. 893.0551,
588 Florida Statutes, is reenacted for the purpose of incorporating
589 the amendment made by this act to s. 893.04, Florida Statutes,
590 in a reference thereto.

591 Section 17. Paragraph (d) of subsection (3) of s. 893.0551,
592 Florida Statutes, is reenacted for the purpose of incorporating
593 the amendment made by this act to s. 893.05, Florida Statutes,
594 in a reference thereto.

595 Section 18. This act shall take effect July 1, 2015.