

1 A bill to be entitled

2 An act relating to prescription medication; amending
3 s. 456.42, F.S.; revising requirements for a written
4 prescription for a medicinal drug issued by a licensed
5 health care practitioner to include the medical
6 condition for which the drug is prescribed; amending
7 s. 465.0276, F.S.; revising requirements for the
8 dispensing of complimentary packages of medicinal
9 drugs by a licensed health care practitioner to his or
10 her patient to include the medical condition for which
11 the drug is prescribed; amending s. 465.186, F.S.;
12 revising requirements for the ordering and dispensing
13 of medicinal drugs by a licensed pharmacist to include
14 the medical condition for which the drug is
15 prescribed; amending s. 893.04, F.S.; revising
16 requirements for the dispensing of a controlled
17 substance by a licensed pharmacist to include the
18 medical condition for which the controlled substance
19 is prescribed; amending s. 893.05, F.S.; revising
20 requirements for the dispensing of a controlled
21 substance by a practitioner to include the medical
22 condition for which the controlled substance is
23 prescribed; providing an effective date.

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25 Be It Enacted by the Legislature of the State of Florida:
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27 Section 1. Subsection (1) of section 456.42, Florida
 28 Statutes, is amended to read:

29 456.42 Written prescriptions for medicinal drugs.—

30 (1) A written prescription for a medicinal drug issued by
 31 a health care practitioner licensed by law to prescribe such
 32 drug must be legibly printed or typed so as to be capable of
 33 being understood by the pharmacist filling the prescription;
 34 must contain the name of the prescribing practitioner, the name
 35 and strength of the drug prescribed, the quantity of the drug
 36 prescribed, ~~and~~ the directions for use of the drug, and the
 37 medical condition for which the drug is prescribed; must be
 38 dated; and must be signed by the prescribing practitioner on the
 39 day when issued. However, a prescription that is electronically
 40 generated and transmitted must contain the name of the
 41 prescribing practitioner, the name and strength of the drug
 42 prescribed, the quantity of the drug prescribed in numerical
 43 format, ~~and~~ the directions for use of the drug, and the medical
 44 condition for which the drug is prescribed and must be dated and
 45 signed by the prescribing practitioner only on the day issued,
 46 which signature may be in an electronic format as defined in s.
 47 668.003(4).

48 Section 2. Subsection (5) of section 465.0276, Florida
 49 Statutes, is amended to read:

50 465.0276 Dispensing practitioner.—

51 (5) A practitioner who confines her or his activities to
 52 the dispensing of complimentary packages of medicinal drugs to

53 the practitioner's own patients in the regular course of her or
 54 his practice, without the payment of fee or remuneration of any
 55 kind, whether direct or indirect, and who herself or himself
 56 dispenses such drugs is not required to register pursuant to
 57 this section. The practitioner must dispense such drugs in the
 58 manufacturer's labeled package with the practitioner's name,
 59 patient's name, ~~and~~ date dispensed, and the medical condition
 60 for which the drug is prescribed, or, if such drugs are not
 61 dispensed in the manufacturer's labeled package, they must be
 62 dispensed in a container which bears the following information:

- 63 (a) Practitioner's name;
- 64 (b) Patient's name;
- 65 (c) Date dispensed;
- 66 (d) Name and strength of drug; ~~and~~
- 67 (e) Directions for use;~~-~~
- 68 (f) The medical condition for which the drug is
 69 prescribed.

70 Section 3. Paragraph (g) of subsection (3) of section
 71 465.186, Florida Statutes, is redesignated as paragraph (h) and
 72 a new paragraph (g) is added to that subsection to read:

73 465.186 Pharmacist's order for medicinal drugs; dispensing
 74 procedure; development of formulary.-

75 (3) Affixed to the container containing a medicinal drug
 76 dispensed pursuant to this section shall be a label bearing the
 77 following information:

- 78 (g) The medical condition for which the drug is

79 prescribed.

80 Section 4. Paragraphs (c) and (e) of subsection (1) of
81 section 893.04, Florida Statutes, are amended to read:

82 893.04 Pharmacist and practitioner.—

83 (1) A pharmacist, in good faith and in the course of
84 professional practice only, may dispense controlled substances
85 upon a written or oral prescription of a practitioner, under the
86 following conditions:

87 (c) There shall appear on the face of the prescription or
88 written record thereof for the controlled substance the
89 following information:

90 1. The full name and address of the person for whom, or
91 the owner of the animal for which, the controlled substance is
92 dispensed.

93 2. The full name and address of the prescribing
94 practitioner and the practitioner's federal controlled substance
95 registry number shall be printed thereon.

96 3. If the prescription is for an animal, the species of
97 animal for which the controlled substance is prescribed.

98 4. The name of the controlled substance prescribed and the
99 strength, quantity, and directions for use thereof.

100 5. The medical condition for which the controlled
101 substance is prescribed.

102 ~~6.5.~~ The number of the prescription, as recorded in the
103 prescription files of the pharmacy in which it is filled.

104 ~~7.6.~~ The initials of the pharmacist filling the

105 prescription and the date filled.

106 (e) Affixed to the original container in which a
 107 controlled substance is delivered upon a prescription or
 108 authorized refill thereof, as hereinafter provided, there shall
 109 be a label bearing the following information:

110 1. The name and address of the pharmacy from which such
 111 controlled substance was dispensed.

112 2. The date on which the prescription for such controlled
 113 substance was filled.

114 3. The number of such prescription, as recorded in the
 115 prescription files of the pharmacy in which it is filled.

116 4. The name of the prescribing practitioner.

117 5. The name of the patient for whom, or of the owner and
 118 species of the animal for which, the controlled substance is
 119 prescribed.

120 6. The directions for the use of the controlled substance
 121 prescribed in the prescription.

122 7. The medical condition for which the controlled
 123 substance is prescribed.

124 ~~8.7.~~ A clear, concise warning that it is a crime to
 125 transfer the controlled substance to any person other than the
 126 patient for whom prescribed.

127 Section 5. Subsection (2) of section 893.05, Florida
 128 Statutes, is amended to read:

129 893.05 Practitioners and persons administering controlled
 130 substances in their absence.—

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131 (2) When any controlled substance is dispensed by a
132 practitioner, there shall be affixed to the original container
133 in which the controlled substance is delivered a label on which
134 appears:

135 (a) The date of delivery.

136 (b) The directions for use of such controlled substance.

137 (c) The medical condition for which the controlled
138 substance is prescribed.

139 (d)~~(e)~~ The name and address of such practitioner.

140 (e)~~(d)~~ The name of the patient and, if such controlled
141 substance is prescribed for an animal, a statement describing
142 the species of the animal.

143 (f)~~(e)~~ A clear, concise warning that it is a crime to
144 transfer the controlled substance to any person other than the
145 patient for whom prescribed.

146 Section 6. This act shall take effect July 1, 2016.