

By Senator Grimsley

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1 A bill to be entitled
2 An act relating to the practice of pharmacy; providing
3 a short title; amending s. 465.003, F.S.; revising a
4 definition; amending s. 465.0125, F.S.; providing
5 duties and responsibilities of a consultant pharmacist
6 and a doctor of pharmacy; providing for payment or
7 reimbursement for a pharmacist's patient care services
8 separate and apart from payment or reimbursement for
9 prescription medications; providing an effective date.

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

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13 Section 1. This act may be cited as the "Access to
14 Pharmacist Services Act."

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

17 465.003 Definitions.—As used in this chapter, the term:
18 (13) "Practice of the profession of pharmacy" includes
19 compounding, dispensing, and consulting concerning contents,
20 therapeutic values, and uses of any medicinal drug; consulting
21 concerning therapeutic values and interactions of patent, ~~or~~
22 proprietary, or other preparations and products; health and
23 wellness assessments; patient care related to medication therapy
24 management, whether pursuant to prescriptions or in the absence
25 and entirely independent of such prescriptions or orders; and
26 other pharmaceutical services provided by the pharmacist. For
27 purposes of this subsection, "other pharmaceutical services"
28 means managing and ~~the~~ monitoring ~~of~~ the patient's drug therapy
29 and assisting the patient in the management of his or her drug

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30 therapy, and includes reviewing ~~review~~ of the patient's drug
31 therapy and collaborating ~~communication~~ with the patient's other
32 ~~prescribing~~ health care providers who are ~~provider as~~ licensed
33 under chapter 458, chapter 459, chapter 461, ~~or~~ chapter 466, or
34 a similar statutory provision in another jurisdiction, or such
35 provider's agent or such other persons as specifically
36 authorized by the patient, regarding the patient's drug therapy
37 and health care status. However, ~~nothing in~~ this subsection may
38 not be interpreted to permit ~~an alteration of a prescriber's~~
39 ~~directions, the diagnosis or treatment of any disease, the~~
40 ~~initiation of any drug therapy,~~ the practice of medicine, or the
41 practice of osteopathic medicine, unless otherwise permitted by
42 law. "Practice of the profession of pharmacy" also includes any
43 other act, service, operation, research, or transaction
44 incidental to, or forming a part of, any of the foregoing acts,
45 requiring, involving, or employing the science or art of any
46 branch of the pharmaceutical profession, study, or training, and
47 shall expressly permit a pharmacist to transmit information from
48 persons authorized to prescribe medicinal drugs to their
49 patients. The practice of the profession of pharmacy also
50 includes the dispensing and administration of medications,
51 including vaccines, ~~to adults~~ pursuant to s. 465.189.

52 Section 3. Subsections (1) and (2) of section 465.0125,
53 Florida Statutes, are amended to read:

54 465.0125 Consultant pharmacist license; application,
55 renewal, fees; responsibilities; rules.—

56 (1) The department shall issue or renew a consultant
57 pharmacist license upon receipt of an initial or renewal
58 application that ~~which~~ conforms to the requirements for

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59 consultant pharmacist initial licensure or renewal as
60 promulgated by the board by rule and a fee set by the board not
61 to exceed \$250. A ~~The~~ consultant pharmacist is ~~shall be~~
62 responsible for maintaining all drug, patient care, and quality
63 assurance records required by law and for establishing drug-
64 handling ~~drug handling~~ procedures for the safe handling and
65 storage of drugs. A consultant pharmacist or doctor of pharmacy
66 who is licensed in this state may perform medication management
67 services, patient health and wellness assessments, counseling
68 and referral services related to medications, and other health
69 care services as provided in this section and the standards of
70 practice adopted by board rule pursuant to s. 465.0155. A ~~The~~
71 consultant pharmacist or doctor of pharmacy licensed as a health
72 care provider in this state may also order and evaluate ~~be~~
73 ~~responsible for ordering and evaluating~~ any laboratory,
74 diagnostic, or clinical testing when, in the judgment of the
75 consultant pharmacist or doctor of pharmacy, such activity is
76 necessary for the proper performance of his or her ~~the~~
77 ~~consultant pharmacist's~~ responsibilities. A consultant
78 pharmacist or doctor of pharmacy licensed in this state may
79 initiate, modify, discontinue, or administer drugs within the
80 context of a drug therapy management order or protocol in
81 collaboration with one or more health care providers. ~~Such~~
82 ~~laboratory or clinical testing may be ordered only with regard~~
83 ~~to patients residing in a nursing home facility, and then only~~
84 ~~when authorized by the medical director of the nursing home~~
85 ~~facility.~~ The consultant pharmacist or doctor of pharmacy must
86 have completed such additional training and demonstrate such
87 additional qualifications related to ~~in the practice of~~

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88 institutional, community, or other pharmacy practice settings
89 ~~pharmacy as shall be~~ required by the board in addition to
90 licensure as a registered pharmacist.

91 (2) Notwithstanding ~~the provisions of~~ subsection (1), a
92 consultant pharmacist or a doctor of pharmacy licensed in this
93 state may also order and evaluate ~~be responsible for ordering~~
94 ~~and evaluating~~ any laboratory, diagnostic, or clinical testing
95 ~~for persons under the care of a licensed home health agency~~
96 when, in the judgment of the consultant pharmacist or doctor of
97 pharmacy, such activity is necessary for the proper performance
98 of his or her responsibilities ~~and only when authorized by a~~
99 ~~practitioner licensed under chapter 458, chapter 459, chapter~~
100 ~~461, or chapter 466.~~ In order for the consultant pharmacist or
101 doctor of pharmacy to qualify and accept this authority, he or
102 she must receive 3 hours of continuing education relating to
103 medical records and laboratory, diagnostic, and clinical testing
104 as established by the board.

105 Section 4. A health maintenance organization, an insurance
106 company, or a health benefit plan may provide payment or
107 reimbursement of the costs associated with a pharmacist's
108 provision of patient care services separate and apart from
109 payment or reimbursement of the costs of prescription
110 medications without regard to provisions of the patient's health
111 benefit coverage when the services provided are within the
112 pharmacist's lawful scope of practice.

113 Section 5. This act shall take effect July 1, 2016.