

By Senator Garcia

36-00926-18

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1 A bill to be entitled
 2 An act relating to the practice of pharmacy; amending
 3 s. 465.003, F.S.; revising the definition of the term
 4 "practice of the profession of pharmacy"; amending s.
 5 465.0125, F.S.; requiring a pharmacist seeking
 6 licensure as a consultant pharmacist to complete
 7 additional training as required by the Board of
 8 Pharmacy; authorizing a consultant pharmacist to
 9 perform specified services under certain conditions;
 10 revising the responsibilities of a consultant
 11 pharmacist; requiring a consultant pharmacist and a
 12 supervising physician to maintain a protocol;
 13 requiring the protocol to be available upon request;
 14 deleting a provision that authorizes certain
 15 consultant pharmacists or doctors of pharmacy to order
 16 and evaluate any laboratory or clinical testing for
 17 persons under the care of a home health agency;
 18 amending s. 465.189, F.S.; authorizing a pharmacist
 19 who is certified to administer vaccines to adults to
 20 perform specified services under certain conditions;
 21 providing an effective date.

22
 23 Be It Enacted by the Legislature of the State of Florida:

24
 25 Section 1. Subsection (13) of section 465.003, Florida
 26 Statutes, is amended to read:
 27 465.003 Definitions.—As used in this chapter, the term:
 28 (13) "Practice of the profession of pharmacy" includes
 29 compounding, dispensing, and consulting concerning contents,

36-00926-18

2018914__

30 therapeutic values, and uses of any medicinal drug; consulting
31 concerning therapeutic values and interactions of patent, ~~or~~
32 proprietary, or other preparations, and health care products and
33 services, whether pursuant to prescriptions or in the absence
34 and entirely independent of such prescriptions or orders; and
35 other pharmaceutical services. For purposes of this subsection,
36 "other pharmaceutical services" means the monitoring of the
37 patient's drug therapy and assisting the patient in the
38 management of his or her drug therapy, and includes review and
39 recommendations made in of the patient's drug therapy and
40 communication with the patient's prescribing health care
41 provider as licensed under chapter 458, chapter 459, chapter
42 461, or chapter 466, or similar statutory provision in another
43 jurisdiction, or such provider's agent or such other persons as
44 specifically authorized by the patient, regarding the patient's
45 drug therapy and health care status. However, nothing in this
46 subsection may be interpreted to permit an alteration of a
47 prescriber's directions, the diagnosis or treatment of any
48 disease, the initiation of any drug therapy, the practice of
49 medicine, or the practice of osteopathic medicine, unless
50 otherwise permitted by law. "Practice of the profession of
51 pharmacy" also includes any other act, service, operation,
52 research, or transaction incidental to, or forming a part of,
53 any of the foregoing acts, requiring, involving, or employing
54 the science or art of any branch of the pharmaceutical
55 profession, study, or training, and shall expressly permit a
56 pharmacist to transmit information from persons authorized to
57 prescribe medicinal drugs to their patients. The practice of the
58 profession of pharmacy also includes the administration of

36-00926-18

2018914__

59 vaccines to adults pursuant to s. 465.189.

60 Section 2. Section 465.0125, Florida Statutes, is amended
61 to read:

62 465.0125 Consultant pharmacist license; application,
63 renewal, fees; responsibilities; rules.—

64 (1) The department shall issue or renew a consultant
65 pharmacist license upon receipt of an initial or renewal
66 application which conforms to the requirements for consultant
67 pharmacist initial licensure or renewal as adopted ~~promulgated~~
68 by the board by rule and a fee set by the board not to exceed
69 \$250. To be licensed as a consultant pharmacist, a Florida-
70 licensed pharmacist must complete additional training as
71 required by the board.

72 (a) A consultant pharmacist may provide comprehensive
73 medication management services within the framework of an
74 established protocol under a supervising physician licensed
75 under chapter 458 or chapter 459 if the pharmacist is authorized
76 to prescribe medication by a health facility medical director or
77 individual provider pursuant to Florida law or similar statutory
78 provision in another jurisdiction. Such protocol must outline
79 the circumstances under which the consultant pharmacist may:

80 1. Order and evaluate laboratory and clinical tests to
81 promote and evaluate patient health and wellness, and monitor
82 drug therapy and treatment outcomes;

83 2. Conduct patient assessments as appropriate to evaluate
84 and monitor drug therapy;

85 3. Initiate, modify, or discontinue medications as outlined
86 in the agreed upon patient-specific order or treatment protocol;
87 and

36-00926-18

2018914__

88 4. Administer medications.

89 (b) The consultant pharmacist shall be responsible for
90 maintain medication, patient care, and quality assurance records
91 as required by law and, with the supervising physician, shall
92 maintain the protocol, which must be available upon request for
93 inspection maintaining all drug records required by law and for
94 establishing drug handling procedures for the safe handling and
95 storage of drugs. The consultant pharmacist may also be
96 responsible for ordering and evaluating any laboratory or
97 clinical testing when, in the judgment of the consultant
98 pharmacist, such activity is necessary for the proper
99 performance of the consultant pharmacist's responsibilities.
100 Such laboratory or clinical testing may be ordered only with
101 regard to patients residing in a nursing home facility, and then
102 only when authorized by the medical director of the nursing home
103 facility. The consultant pharmacist must have completed such
104 additional training and demonstrate such additional
105 qualifications in the practice of institutional pharmacy as
106 shall be required by the board in addition to licensure as a
107 registered pharmacist.

108 ~~(2) Notwithstanding the provisions of subsection (1), a~~
109 ~~consultant pharmacist or a doctor of pharmacy licensed in this~~
110 ~~state may also be responsible for ordering and evaluating any~~
111 ~~laboratory or clinical testing for persons under the care of a~~
112 ~~licensed home health agency when, in the judgment of the~~
113 ~~consultant pharmacist or doctor of pharmacy, such activity is~~
114 ~~necessary for the proper performance of his or her~~
115 ~~responsibilities and only when authorized by a practitioner~~
116 ~~licensed under chapter 458, chapter 459, chapter 461, or chapter~~

36-00926-18

2018914__

117 ~~466. In order for the consultant pharmacist or doctor of~~
118 ~~pharmacy to qualify and accept this authority, he or she must~~
119 ~~receive 3 hours of continuing education relating to laboratory~~
120 ~~and clinical testing as established by the board.~~

121 (2)~~(3)~~ The board shall adopt ~~promulgate~~ rules necessary to
122 implement and administer this section.

123 Section 3. Present subsections (3) through (8) of section
124 465.189, Florida Statutes, are redesignated as subsections (4)
125 through (9), respectively, subsection (1) of that section is
126 amended, and a new subsection (3) is added to that section, to
127 read:

128 465.189 Administration of vaccines and epinephrine
129 autoinjection.—

130 (1) In accordance with guidelines of the Centers for
131 Disease Control and Prevention for each recommended immunization
132 or vaccine, a pharmacist, or a registered intern under the
133 supervision of a pharmacist who is certified under subsection
134 (7)~~(6)~~, may administer the following vaccines to an adult within
135 the framework of an established protocol under a supervising
136 physician licensed under chapter 458 or chapter 459:

137 (a) Immunizations or vaccines listed in the Adult
138 Immunization Schedule as of February 1, 2015, by the United
139 States Centers for Disease Control and Prevention. The board may
140 authorize, by rule, additional immunizations or vaccines as they
141 are added to the Adult Immunization Schedule.

142 (b) Immunizations or vaccines recommended by the United
143 States Centers for Disease Control and Prevention for
144 international travel as of July 1, 2015. The board may
145 authorize, by rule, additional immunizations or vaccines as they

36-00926-18

2018914__

146 are recommended by the United States Centers for Disease Control
147 and Prevention for international travel.

148 (c) Immunizations or vaccines approved by the board in
149 response to a state of emergency declared by the Governor
150 pursuant to s. 252.36.

151
152 A registered intern who administers an immunization or vaccine
153 under this subsection must be supervised by a certified
154 pharmacist at a ratio of one pharmacist to one registered
155 intern.

156 (3) A pharmacist certified under subsection (7) may perform
157 the following services within the framework of an established
158 protocol and under a supervising physician licensed under
159 chapter 458 or chapter 459:

160 (a) Order and evaluate laboratory and clinical tests; and

161 (b) Administer, modify, or discontinue medications.

162 Section 4. This act shall take effect July 1, 2018.