

By Senator Diaz

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1 A bill to be entitled
2 An act relating to pharmacy; amending s. 465.003,
3 F.S.; revising the definition of the term "practice of
4 the profession of pharmacy"; amending s. 465.0125,
5 F.S.; authorizing a consultant pharmacist to perform
6 specified services under certain conditions; revising
7 the responsibilities of a consultant pharmacist;
8 requiring a consultant pharmacist and a collaborating
9 practitioner to maintain collaborative practice
10 agreements; requiring collaborative practice
11 agreements to be made available upon request from or
12 upon inspection by the Department of Health; defining
13 the term "health care facility"; conforming provisions
14 to changes made by the act; providing an effective
15 date.

16
17 Be It Enacted by the Legislature of the State of Florida:

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19 Section 1. Subsection (13) of section 465.003, Florida
20 Statutes, is amended to read:

21 465.003 Definitions.—As used in this chapter, the term:
22 (13) "Practice of the profession of pharmacy" includes
23 compounding, dispensing, and consulting concerning contents,
24 therapeutic values, and uses of any medicinal drug; consulting
25 concerning therapeutic values and interactions of patent or
26 proprietary preparations, whether pursuant to prescriptions or
27 in the absence and entirely independent of such prescriptions or
28 orders; and conducting other pharmaceutical services. For
29 purposes of this subsection, "other pharmaceutical services"

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30 means the monitoring of the patient's drug therapy and assisting
31 the patient in the management of his or her drug therapy, and
32 includes review and recommendations made in ~~of the patient's~~
33 ~~drug therapy and~~ communication with the patient's prescribing
34 health care provider as licensed under chapter 458, chapter 459,
35 chapter 461, or chapter 466, or a similar statutory provision in
36 another jurisdiction, or such provider's agent or such other
37 persons as specifically authorized by the patient, regarding the
38 patient's drug therapy and health care status. However, ~~nothing~~
39 ~~in~~ this subsection may not be interpreted to permit an
40 alteration of a prescriber's directions, the diagnosis or
41 treatment of any disease, the initiation of any drug therapy,
42 the practice of medicine, or the practice of osteopathic
43 medicine, unless otherwise permitted by law. "Practice of the
44 profession of pharmacy" also includes any other act, service,
45 operation, research, or transaction incidental to, or forming a
46 part of, any of the foregoing acts, requiring, involving, or
47 employing the science or art of any branch of the pharmaceutical
48 profession, study, or training, and shall expressly permit a
49 pharmacist to transmit information from persons authorized to
50 prescribe medicinal drugs to their patients. The practice of the
51 profession of pharmacy also includes the administration of
52 vaccines to adults pursuant to s. 465.189 and the preparation of
53 prepackaged drug products in facilities holding Class III
54 institutional pharmacy permits. The term also includes the
55 ordering and evaluating of any laboratory or clinical testing;
56 conducting patient assessments; and initiating, modifying,
57 discontinuing, or administering medicinal drugs pursuant to s.
58 465.0125.

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

61 465.0125 Consultant pharmacist license; application,
62 renewal, fees; responsibilities; rules.—

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

71 (a) A consultant pharmacist may provide medication
72 management services within the framework of a collaborative
73 practice agreement between the pharmacist and a physician
74 licensed under chapter 458 or chapter 459, a podiatric physician
75 licensed under chapter 461, or a dentist licensed under chapter
76 466, who is authorized to prescribe medicinal drugs. Such
77 collaborative practice agreement must outline the circumstances
78 under which the consultant pharmacist may:

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

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

84 3. Initiate, modify, or discontinue medicinal drugs as
85 outlined in the agreed upon patient-specific order or
86 preapproved treatment protocol under the direction of a
87 physician.

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88 4. Administer medicinal drugs.

89 (b) A The consultant pharmacist shall maintain be
90 responsible for maintaining all drug, patient care, and quality
91 assurance records as required by law and, with the collaborating
92 practitioner, shall maintain collaborative practice agreements
93 that must be available upon request from or upon inspection by
94 the department.

95 (c) For purposes of this subsection, the term "health care
96 facility" means an ambulatory surgical center or hospital
97 licensed under chapter 395, an alcohol or chemical dependency
98 treatment center licensed under chapter 397, a hospice licensed
99 under part IV of chapter 400, a nursing home licensed under part
100 II of chapter 400, a home health agency licensed under part III
101 of chapter 400, an ambulatory care center as defined in s.
102 408.07, or a nursing home component under chapter 400 within a
103 continuing care facility licensed under chapter 651. for
104 establishing drug handling procedures for the safe handling and
105 storage of drugs. The consultant pharmacist may also be
106 responsible for ordering and evaluating any laboratory or
107 clinical testing when, in the judgment of the consultant
108 pharmacist, such activity is necessary for the proper
109 performance of the consultant pharmacist's responsibilities.
110 Such laboratory or clinical testing may be ordered only with
111 regard to patients residing in a nursing home facility, and then
112 only when authorized by the medical director of the nursing home
113 facility. The consultant pharmacist must have completed such
114 additional training and demonstrate such additional
115 qualifications in the practice of institutional pharmacy as
116 shall be required by the board in addition to licensure as a

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117 ~~registered pharmacist.~~

118 ~~(2) Notwithstanding the provisions of subsection (1), a~~
119 ~~consultant pharmacist or a doctor of pharmacy licensed in this~~
120 ~~state may also be responsible for ordering and evaluating any~~
121 ~~laboratory or clinical testing for persons under the care of a~~
122 ~~licensed home health agency when, in the judgment of the~~
123 ~~consultant pharmacist or doctor of pharmacy, such activity is~~
124 ~~necessary for the proper performance of his or her~~
125 ~~responsibilities and only when authorized by a practitioner~~
126 ~~licensed under chapter 458, chapter 459, chapter 461, or chapter~~
127 ~~466. In order for the consultant pharmacist or doctor of~~
128 ~~pharmacy to qualify and accept this authority, he or she must~~
129 ~~receive 3 hours of continuing education relating to laboratory~~
130 ~~and clinical testing as established by the board.~~

131 ~~(2)(3)~~ The board shall adopt ~~promulgate~~ rules necessary to
132 implement and administer this section.

133 Section 3. This act shall take effect July 1, 2019.