

By Senator Brandes

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1                   A bill to be entitled  
2       An act relating to automated pharmacy systems;  
3       amending s. 465.0235, F.S.; authorizing a community  
4       pharmacy to use an automated pharmacy system under  
5       certain circumstances; providing that certain  
6       medicinal drugs stored in such system for outpatient  
7       dispensing are part of the inventory of the pharmacy  
8       providing services through such system; requiring the  
9       Board of Pharmacy to adopt rules; providing an  
10      effective date.

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

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14       Section 1. Section 465.0235, Florida Statutes, is amended  
15 to read:

16       465.0235 Automated pharmacy systems used by long-term care  
17 facilities, hospices, or state correctional institutions or for  
18 outpatient dispensing.—

19       (1) A pharmacy may provide pharmacy services to a long-term  
20 care facility or hospice licensed under chapter 400 or chapter  
21 429 or a state correctional institution operated under chapter  
22 944 through the use of an automated pharmacy system that need  
23 not be located at the same location as the pharmacy.

24       (2) A community pharmacy, as defined in s. 465.003(11)(a)1.  
25 and licensed in this state, may provide pharmacy services for  
26 outpatient dispensing through the use of an automated pharmacy  
27 system that need not be located at the same location as the  
28 community pharmacy if all of the following requirements are met:

29       (a) The automated pharmacy system is under the supervision

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30 and control of the community pharmacy.

31 (b) The community pharmacy providing services through the  
32 automated pharmacy system notifies the board of the location of  
33 the automated pharmacy system and any changes in such location.

34 (c) The automated pharmacy system is under the supervision  
35 and control of a pharmacist, as defined in s. 465.003 and  
36 licensed in this state, who is available and accessible for  
37 patient counseling before the dispensing of any medicinal drug.

38 (d) The automated pharmacy system does not contain or  
39 dispense any controlled substances listed in Schedule II,  
40 Schedule III, Schedule IV, or Schedule V of s. 893.03 or 21  
41 U.S.C. s. 812.

42 (e) The community pharmacy maintains a record of the  
43 medicinal drugs dispensed, including the identity of the  
44 pharmacist responsible for verifying the accuracy of the dosage  
45 and directions and providing patient counseling.

46 (f) The automated pharmacy system ensures the  
47 confidentiality of personal health information.

48 (3)-(2) Medicinal drugs stored in bulk or unit of use in an  
49 automated pharmacy system servicing a long-term care facility,  
50 hospice, or correctional institution, or for outpatient  
51 dispensing, are part of the inventory of such the pharmacy  
52 providing pharmacy services to that facility, hospice, or  
53 institution, and medicinal drugs delivered by the automated  
54 pharmacy system are considered to have been dispensed by that  
55 pharmacy.

56 (4)-(3) The operation of an automated pharmacy system must  
57 be under the supervision of a ~~Florida-licensed~~ pharmacist  
58 licensed in this state. To qualify as a supervisor for an

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59 automated pharmacy system, the pharmacist need not be physically  
 60 present at the site of the automated pharmacy system and may  
 61 supervise the system electronically. The ~~Florida-licensed~~  
 62 pharmacist shall be required to develop and implement policies  
 63 and procedures designed to verify that the medicinal drugs  
 64 delivered by the automated dispensing system are accurate and  
 65 valid and that the machine is properly restocked.

66 (5)~~(4)~~ The Legislature does not intend this section to  
 67 limit the current practice of pharmacy in this state. This  
 68 section is intended to allow automated pharmacy systems to  
 69 enhance the ability of a pharmacist to provide pharmacy services  
 70 in locations that do not employ a full-time pharmacist. This  
 71 section does not limit or replace the use of a consultant  
 72 pharmacist.

73 (6)~~(5)~~ The board shall adopt rules governing the use of ~~an~~  
 74 automated pharmacy systems ~~system by January 1, 2005~~, which must  
 75 include all of the following specify:

76 (a) Recordkeeping requirements.~~.~~  
 77 (b) Security requirements.~~.~~ ~~and~~  
 78 (c) Labeling requirements that permit the use of unit-dose  
 79 medications if the facility, hospice, or institution maintains  
 80 medication-administration records that include directions for  
 81 use of the medication and the automated pharmacy system  
 82 identifies:

- 83 1. The dispensing pharmacy.~~.~~
- 84 2. The prescription number.~~.~~
- 85 3. The name of the patient.~~.~~ ~~and~~
- 86 4. The name of the prescribing practitioner.

87 Section 2. This act shall take effect July 1, 2019.