

By the Committee on Health Policy; and Senator Hutson

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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 an automated pharmacy system
7 for outpatient dispensing are part of the inventory of
8 the pharmacy providing services through such system;
9 requiring the Board of Pharmacy to adopt rules;
10 providing an effective date.

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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, which
25 is licensed in this state may provide pharmacy services for
26 outpatient dispensing through the use of an automated pharmacy
27 system if:

28 (a) The automated pharmacy system is located inside the
29 community pharmacy's pharmacy department or is located inside

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30 the same establishment as the community pharmacy.

31 (b) The automated pharmacy system is under the supervision
32 and control of the community pharmacy.

33 (c) The community pharmacy providing services through the
34 automated pharmacy system notifies the board of the location of
35 the automated pharmacy system and any changes in such location.

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

40 (e) The automated pharmacy system does not contain or
41 dispense any controlled substances listed in s. 893.03 or 21
42 U.S.C. s. 812.

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

47 (g) The automated pharmacy system ensures the
48 confidentiality of personal health information.

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

57 (4)(3) The operation of an automated pharmacy system must
58 be under the supervision of a ~~Florida-licensed~~ pharmacist

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

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

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

- 77 (a) Recordkeeping requirements.†
78 (b) Security requirements.†~~and~~
79 (c) Labeling requirements that permit the use of unit-dose
80 medications if the facility, hospice, or institution maintains
81 medication-administration records that include directions for
82 use of the medication and the automated pharmacy system
83 identifies:
- 84 1. The dispensing pharmacy.†
 - 85 2. The prescription number.†
 - 86 3. The name of the patient.†~~and~~
 - 87 4. The name of the prescribing practitioner.

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Section 2. This act shall take effect July 1, 2020.