

By Senator Calatayud

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1                   A bill to be entitled  
2           An act relating to HIV infection prevention drugs;  
3           creating s. 465.1861, F.S.; defining terms;  
4           authorizing pharmacists to screen adults for HIV  
5           exposure and provide the results to such adults;  
6           requiring pharmacists to advise individuals to seek  
7           consultation and treatment from a physician if the  
8           screening results are positive; authorizing  
9           pharmacists to order and dispense HIV infection  
10          prevention drugs only pursuant to a collaborative  
11          practice agreement with a physician; requiring  
12          pharmacists to be certified by the Board of Pharmacy  
13          before ordering and dispensing HIV infection  
14          prevention drugs; requiring the board, in consultation  
15          with the Board of Medicine and the Board of  
16          Osteopathic Medicine, to adopt rules for such  
17          certification; specifying minimum requirements for the  
18          certification; requiring the board to adopt rules;  
19          providing an effective date.

20  
21 Be It Enacted by the Legislature of the State of Florida:

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23           Section 1. Section 465.1861, Florida Statutes, is created  
24 to read:

25           465.1861 Ordering and dispensing HIV drugs.—

26           (1) As used in this section, the term:

27           (a) "HIV" means the human immunodeficiency virus.

28           (b) "HIV infection prevention drug" means preexposure  
29 prophylaxis, postexposure prophylaxis, and any other drug

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30 approved by the United States Food and Drug Administration for  
31 the prevention of HIV infection as of March 8, 2024.

32 (c) "Postexposure prophylaxis" means a drug or drug  
33 combination that meets the clinical eligibility recommendations  
34 of the United States Centers for Disease Control and Prevention  
35 guidelines for antiretroviral treatment following potential  
36 exposure to HIV issued as of March 8, 2024.

37 (d) "Preexposure prophylaxis" means a drug or drug  
38 combination that meets the clinical eligibility recommendations  
39 of the United States Centers for Disease Control and Prevention  
40 guidelines for antiretroviral treatment for the prevention of  
41 HIV transmission issued as of March 8, 2024.

42 (2) A pharmacist may screen an adult for HIV exposure and  
43 provide the results to that adult. If the results of the  
44 screening are positive, the pharmacist must advise the patient  
45 that he or she should seek further medical consultation or  
46 treatment from a physician.

47 (3) A pharmacist may order and dispense HIV infection  
48 prevention drugs only pursuant to a collaborative practice  
49 agreement between the pharmacist and a physician licensed under  
50 chapter 458 or chapter 459.

51 (4) Before ordering or dispensing HIV infection prevention  
52 drugs under this section, a pharmacist must be certified by the  
53 board, according to the rules adopted by the board, in  
54 consultation with the Board of Medicine and the Board of  
55 Osteopathic Medicine. To be certified, a pharmacist must, at a  
56 minimum, meet all of the following criteria:

57 (a) Hold an active and unencumbered license to practice  
58 pharmacy under this chapter.

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59 (b) Be engaged in the active practice of pharmacy.

60 (c) Have earned a degree of doctor of pharmacy or have  
61 completed at least 5 years of experience as a licensed  
62 pharmacist.

63 (d) Maintain at least \$250,000 of liability coverage. A  
64 pharmacist who maintains liability coverage pursuant to s.  
65 465.1865 or s. 465.1895 satisfies this requirement.

66 (e) Have completed a course approved by the board, in  
67 consultation with the Board of Medicine and the Board of  
68 Osteopathic Medicine, which includes, at a minimum, instruction  
69 on all of the following:

70 1. Performance of patient assessments.

71 2. Point-of-care testing procedures.

72 3. Safe and effective treatment of HIV exposure with HIV  
73 infection prevention drugs, including, but not limited to,  
74 consideration of the side effects of the drug dispensed and the  
75 patient's diet and activity levels.

76 4. Identification of contraindications.

77 5. Identification of patient comorbidities in individuals  
78 with HIV requiring further medical evaluation and treatment,  
79 including, but not limited to, cardiovascular disease, lung and  
80 liver cancer, chronic obstructive lung disease, and diabetes  
81 mellitus.

82 (5) The board shall adopt rules to implement this section.

83 Section 2. This act shall take effect July 1, 2024.