A bill to be entitled
An act relating to HIV infection prevention drugs;
creating s. 465.1861, F.S.; defining terms;
authorizing licensed pharmacists to screen for HIV
exposure and order and dispense HIV infection
prevention drugs in accordance with a certain written
supervisory protocol or statewide drug therapy
protocol; requiring pharmacists to be certified by the
Board of Pharmacy before ordering and dispensing HIV
infection prevention drugs; requiring the board, in
consultation with the Board of Medicine and the Board
of Osteopathic Medicine, to adopt rules for such
certification; specifying minimum requirements for the
certification; requiring the board, in consultation
with the Board of Medicine, the Board of Osteopathic
Medicine, and the Department of Health, to develop a
certain statewide drug therapy protocol; providing
requirements for development of the protocol;
requiring the board to adopt rules; providing an
effective date.

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

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

CODING: Words strucken are deletions; words underlined are additions.
465.1861 Ordering and dispensing HIV infection prevention drugs.—

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

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

(b) "HIV infection prevention drug" means preexposure prophylaxis, postexposure prophylaxis, and any other drug approved by the United States Food and Drug Administration for the prevention of HIV infection.

(c) "Postexposure prophylaxis" means a drug or drug combination that meets the clinical eligibility recommendations of the United States Centers for Disease Control and Prevention guidelines for antiretroviral treatment following potential exposure to HIV.

(d) "Preexposure prophylaxis" means a drug or drug combination that meets the clinical eligibility recommendations of the United States Centers for Disease Control and Prevention guidelines for antiretroviral treatment for the prevention of HIV transmission.

(2) A pharmacist may screen for HIV exposure and order and dispense HIV infection prevention drugs in accordance with a written protocol between the pharmacist and a supervising physician or a statewide drug therapy protocol developed pursuant to subsection (4).

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

(a) Hold an active and unencumbered license to practice pharmacy under this chapter.
(b) Be engaged in the active practice of pharmacy.
(c) Have earned a doctorate of pharmacy degree or have completed at least 5 years of experience as a licensed pharmacist.
(d) Maintain at least $250,000 of liability coverage. A pharmacist who maintains liability coverage pursuant to s. 465.1865 or s. 465.1895 satisfies this requirement.
(e) Have completed a course approved by the board, in consultation with the Board of Medicine and the Board of Osteopathic Medicine, which includes, at a minimum, instruction on all of the following:

2. Point-of-care testing procedures.
4. Identification of contraindications.
(4) The board, in consultation with the Board of Medicine, the Board of Osteopathic Medicine, and the department, shall develop a statewide drug therapy protocol for pharmacists to...
test or screen for HIV exposure and order and dispense HIV infection prevention drugs. In development of the statewide drug therapy protocol, the board must consider, at a minimum, all of the following:

(a) Physician referrals.

(b) Lab testing, including prescribing HIV preexposure and postexposure screening tests.

(c) Appropriate referrals consistent with guidelines of the United States Centers for Disease Control and Prevention.

(d) Counseling consistent with guidelines of the United States Centers for Disease Control and Prevention.

(e) Patient follow-up care and counseling.

(5) The board shall adopt rules to implement this section, including rules that establish protocols for ordering and dispensing HIV infection prevention drugs.

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