

Amendment No.

CHAMBER ACTION

SenateHouse

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Representative Partington offered the following:

Amendment (with title amendment)

Remove lines 31-65 and insert:

state of emergency is declared pursuant to s. 252.36;

~~(a) The practitioner and the dispenser are the same
entity;~~

~~(b) The prescription cannot be transmitted electronically
under the most recently implemented version of the National
Council for Prescription Drug Programs SCRIPT Standard;~~

(c) The practitioner has been issued a waiver by the
department, not to exceed 1 year in duration, from the
requirement to use electronic prescribing due to demonstrated

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14 economic hardship, technological limitations that are not
15 reasonably within the control of the practitioner, or another
16 exceptional circumstance demonstrated by the practitioner; or

17 (d) Electronic prescribing is not available due to a
18 temporary technological or electrical failure that is not in the
19 control of the prescribing practitioner, and such failure is
20 documented in the patient record

21 ~~(d) The practitioner reasonably determines that it would~~
22 ~~be impractical for the patient in question to obtain a medicinal~~
23 ~~drug prescribed by electronic prescription in a timely manner~~
24 ~~and such delay would adversely impact the patient's medical~~
25 ~~condition;~~

26 ~~(e) The practitioner is prescribing a drug under a~~
27 ~~research protocol;~~

28 ~~(f) The prescription is for a drug for which the federal~~
29 ~~Food and Drug Administration requires the prescription to~~
30 ~~contain elements that may not be included in electronic~~
31 ~~prescribing;~~

32 ~~(g) The prescription is issued to an individual receiving~~
33 ~~hospice care or who is a resident of a nursing home facility; or~~

34 ~~(h) The practitioner determines that it is in the best~~
35 ~~interest of the patient, or the patient determines that it is in~~
36 ~~his or her own best interest, to compare prescription drug~~
37 ~~prices among area pharmacies. The practitioner must document~~
38 ~~such determination in the patient's medical record.~~

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40 The department, in consultation with the Board of Medicine, the
41 Board of Osteopathic Medicine, the Board of Podiatric Medicine,
42 the Board of Dentistry, the Board of Nursing, and the Board of
43 Optometry, may adopt rules to implement this subsection. This
44 subsection does not prohibit a pharmacist licensed in this state
45 from filling or refilling a valid prescription submitted
46 electronically or in writing, or require or authorize a change
47 in prescription drug claims adjudication and review procedures
48 by payors related to filling or refilling a valid prescription
49 submitted electronically or in writing. This subsection does not
50 prohibit a pharmacist licensed in this state from filling or
51 refilling a valid prescription issued in writing by a prescriber
52 located in another state.

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56 **T I T L E A M E N D M E N T**

57 Remove line 5 and insert:
58 certain drugs; revising exceptions; providing
59 construction; amending ss.

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