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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/10/2025	.	
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The Appropriations Committee on Health and Human Services
(Brodeur) recommended the following:

**Senate Substitute for Amendment (584482) (with title
amendment)**

Delete lines 31 - 64
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;~~



909488

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

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

(e) The prescription cannot be electronically prescribed due to a temporary technological or electrical failure that is not in the control of the prescribing practitioner, and such failure is documented in the patient record ~~The practitioner is prescribing a drug under a research protocol;~~

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

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

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

The department, in consultation with the Board of Medicine, the



909488

Board of Osteopathic Medicine, the Board of Podiatric Medicine, the Board of Dentistry, the Board of Nursing, and the Board of Optometry, may adopt rules to implement this subsection. This subsection does not prohibit a pharmacist licensed in this state from filling or refilling a valid prescription submitted electronically or in writing, or require or authorize a change in prescription drug claims adjudication and review procedures by payors related to filling or refilling a valid prescription submitted electronically or in writing. This subsection does not prohibit a pharmacist licensed in this state from filling or refilling a valid prescription that is issued in writing by a prescriber located in another state or that is transcribed by the pharmacy when a prescription is called in by telephone.

Section 2. Subsection (1) of section 456.43, Florida Statutes, is republished to read:

456.43 Electronic prescribing for medicinal drugs.—

(1) Electronic prescribing may not interfere with a patient's freedom to choose a pharmacy.

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete line 5

and insert:

certain drugs; revising exceptions; providing construction; republishing s. 456.43(1), F.S., relating to electronic prescribing for medicinal drugs; amending ss.