

**By** the Committees on Regulated Industries; and Health Policy;  
and Senator Grimsley

580-02895-14

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1                   A bill to be entitled  
2           An act relating to pharmacy; amending s. 465.014,  
3           F.S.; increasing the number of registered pharmacy  
4           technicians which a licensed pharmacist may supervise;  
5           amending s. 465.004, F.S.; revising the composition of  
6           the Board of Pharmacy; amending ss. 456.42 and 893.04,  
7           F.S.; requiring written prescriptions for specified  
8           controlled substances to be legibly dated in a  
9           specified format; providing an effective date.

10  
11 Be It Enacted by the Legislature of the State of Florida:

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13           Section 1. Subsection (1) of section 465.014, Florida  
14 Statutes, is amended to read:

15           465.014 Pharmacy technician.—

16           (1) A person other than a licensed pharmacist or pharmacy  
17 intern may not engage in the practice of the profession of  
18 pharmacy, except that a licensed pharmacist may delegate to  
19 pharmacy technicians who are registered pursuant to this section  
20 those duties, tasks, and functions that do not fall within the  
21 purview of s. 465.003(13). All such delegated acts must ~~shall~~ be  
22 performed under the direct supervision of a licensed pharmacist  
23 who is ~~shall be~~ responsible for all such acts performed by  
24 persons under his or her supervision. A ~~pharmacy~~ registered  
25 pharmacy technician, under the supervision of a pharmacist, may  
26 initiate or receive communications with a practitioner or his or  
27 her agent, on behalf of a patient, regarding refill  
28 authorization requests. A licensed pharmacist may not supervise  
29 more than one registered pharmacy technician unless otherwise

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30 permitted by the guidelines adopted by the board. The board  
31 shall establish guidelines to be followed by licensees or  
32 permittees in determining the circumstances under which a  
33 licensed pharmacist may supervise more than one ~~but not more~~  
34 ~~than three~~ pharmacy technician technicians.

35 Section 2. Subsection (2) of section 465.004, Florida  
36 Statutes, is amended to read:

37 465.004 Board of Pharmacy.—

38 (2) Seven members of the board must be licensed pharmacists  
39 who are residents of this state and who have been engaged in the  
40 practice of the profession of pharmacy in this state for at  
41 least 4 years and, to the extent practicable, represent the  
42 various pharmacy practice settings. Of the pharmacist members,  
43 three ~~one~~ must be currently engaged in the practice of pharmacy  
44 in a community pharmacy, three ~~one~~ must be currently engaged in  
45 the practice of pharmacy in a Class II institutional pharmacy or  
46 a Modified Class II institutional pharmacy, and one ~~five~~ shall  
47 be a pharmacist ~~pharmacists~~ licensed in this state irrespective  
48 of practice setting. The remaining two members must be residents  
49 of the state who have never been licensed as pharmacists and who  
50 are in no way connected with the practice of the profession of  
51 pharmacy. No person may be appointed as a consumer member who is  
52 in any way connected with a drug manufacturer or wholesaler. At  
53 least one member of the board must be 60 years of age or older.

54 Section 3. Subsection (2) of section 456.42, Florida  
55 Statutes, is amended to read:

56 456.42 Written prescriptions for medicinal drugs.—

57 (2) A written prescription for a controlled substance  
58 listed in chapter 893 must have the quantity of the drug

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59 prescribed in both textual and numerical formats, must be dated  
60 in numeric month/day/year format, or with the abbreviated month  
61 written out, or the month written out in whole ~~on the face of~~  
62 ~~the prescription~~, and must be either written on a standardized  
63 counterfeit-proof prescription pad produced by a vendor approved  
64 by the department or electronically prescribed as that term is  
65 used in s. 408.0611. As a condition of being an approved vendor,  
66 a prescription pad vendor must submit a monthly report to the  
67 department that ~~which~~, at a minimum, documents the number of  
68 prescription pads sold and identifies the purchasers. The  
69 department may, by rule, require the reporting of additional  
70 information.

71 Section 4. Paragraph (d) of subsection (2) of section  
72 893.04, Florida Statutes, is amended to read:

73 893.04 Pharmacist and practitioner.—

74 (2)

75 (d) Each written prescription prescribed by a practitioner  
76 in this state for a controlled substance listed in Schedule II,  
77 Schedule III, or Schedule IV must include both a written and a  
78 numerical notation of the quantity of the controlled substance  
79 prescribed ~~on the face of the prescription~~ and a legible  
80 notation of the date in numeric month/day/year format, or ~~with~~  
81 the abbreviated month written out, or the month written out in  
82 whole ~~on the face of the prescription~~. A pharmacist may, upon  
83 verification by the prescriber, document any information  
84 required by this paragraph. If the prescriber is not available  
85 to verify a prescription, the pharmacist may dispense the  
86 controlled substance but may insist that the person to whom the  
87 controlled substance is dispensed provide valid photographic

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88 identification. If a prescription includes a numerical notation  
89 of the quantity of the controlled substance or date, but does  
90 not include the quantity or date written out in textual format,  
91 the pharmacist may dispense the controlled substance without  
92 verification by the prescriber of the quantity or date if the  
93 pharmacy previously dispensed another prescription for the  
94 person to whom the prescription was written.

95 Section 5. This act shall take effect July 1, 2014.