Florida Senate - 2007

CS for SB 2022

 \boldsymbol{By} the Committee on Health Regulation; and Senators Bennett and Rich

588-2154-07

1	A bill to be entitled
2	An act relating to immunization services;
3	amending s. 465.003, F.S.; redefining the term
4	"practice of the profession of pharmacy" to
5	include the administration of influenza
6	vaccines to adults by a pharmacist; creating s.
7	465.189, F.S.; authorizing pharmacists to
8	administer influenza vaccines within an
9	established protocol and under a supervisory
10	practitioner who is a licensed physician or by
11	written agreement with a county health
12	department; providing requirements for the
13	protocol; requiring training and certification
14	in the administration of influenza vaccination
15	and employer approval before entering into a
16	protocol; requiring a pharmacist to maintain
17	and make available patient records for a
18	certain time period; providing requirements for
19	the certification program; providing an
20	effective date.
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22	Be It Enacted by the Legislature of the State of Florida:
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24	Section 1. Subsection (13) of section 465.003, Florida
25	Statutes, is amended to read:
26	465.003 DefinitionsAs used in this chapter, the
27	term:
28	(13) "Practice of the profession of pharmacy" includes
29	compounding, dispensing, and consulting concerning contents,
30	therapeutic values, and uses of any medicinal drug; consulting
31	concerning therapeutic values and interactions of patent or
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1 proprietary preparations, whether pursuant to prescriptions or in the absence and entirely independent of such prescriptions 2 or orders; and other pharmaceutical services. For purposes of 3 this subsection, "other pharmaceutical services" means the 4 monitoring of the patient's drug therapy and assisting the 5 6 patient in the management of his or her drug therapy, and 7 includes review of the patient's drug therapy and 8 communication with the patient's prescribing health care provider as licensed under chapter 458, chapter 459, chapter 9 461, or chapter 466, or similar statutory provision in another 10 jurisdiction, or such provider's agent or such other persons 11 12 as specifically authorized by the patient, regarding the drug 13 therapy. However, nothing in this subsection may be interpreted to permit an alteration of a prescriber's 14 directions, the diagnosis or treatment of any disease, the 15 16 initiation of any drug therapy, the practice of medicine, or 17 the practice of osteopathic medicine, unless otherwise 18 permitted by law. "Practice of the profession of pharmacy" also includes any other act, service, operation, research, or 19 transaction incidental to, or forming a part of, any of the 20 21 foregoing acts, requiring, involving, or employing the science 22 or art of any branch of the pharmaceutical profession, study, 23 or training, and shall expressly permit a pharmacist to transmit information from persons authorized to prescribe 2.4 medicinal drugs to their patients. "Practice of the profession 25 of pharmacy" also includes the administration to adults of 26 27 influenza vaccines under s. 465.189. 2.8 Section 2. Section 465.189, Florida Statutes, is 29 created to read: 30 465.189 Administration of influenza vaccines.--31

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1	(1) Pharmacists may administer influenza vaccines to
2	adults within the framework of an established protocol under a
3	supervisory practitioner who is a physician licensed under
4	chapter 458 or chapter 459 or by written agreement with a
5	county health department. Each protocol shall contain specific
б	procedures for addressing any unforeseen allergic reaction to
7	an influenza vaccine.
8	(2) A pharmacist may not enter into a protocol until
9	the pharmacist has completed training in the administration of
10	influenza vaccines as provided in this section.
11	(3) A pharmacist administering an influenza vaccine
12	shall maintain and make available patient records using the
13	same standards for confidentiality and maintenance of such
14	records as those that are imposed on health care practitioners
15	under s. 456.057. These records shall be maintained for a
16	minimum of 5 years.
17	(4) The decision by a supervisory practitioner to
18	enter into a protocol under this section is a professional
19	decision of the practitioner, and a person may not interfere
20	with a supervisory practitioner's decision as to whether to
21	<u>enter into such a protocol. A pharmacist may not enter into a</u>
22	protocol that is to be performed while acting as an employee
23	without the written approval of the owner of the pharmacy.
24	(5) Any pharmacist seeking to vaccinate patients under
25	this section must be certified to administer influenza
26	vaccines pursuant to a certification program approved by the
27	Board of Pharmacy. The certification program shall, at a
28	minimum, require that a pharmacist attend at least 20 hours of
29	continuing education classes approved by the board. The
30	program must have a curriculum of instruction concerning the
31	safe and effective administration of influenza vaccines,

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including, but not limited to, potential allergic reactions to influenza vaccines. (6) The pharmacist must submit to the Board of Pharmacy a copy of the protocol or written agreement to administer an influenza vaccine. Section 3. This act shall take effect July 1, 2007. STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN COMMITTEE SUBSTITUTE FOR Senate Bill 2022 The committee substitute limits the vaccinations that pharmacists may administer to influenza vaccines.

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