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1 A bill to be entitled
2 An act relating to the practice of pharmacy; amending
3 ss. 465.003 and 465.019, F.S.; authorizing the use of
4 an institutional formulary system in a Class I
5 institutional pharmacy at which, with certain
6 exceptions, all medicinal drugs are administered from
7 individual prescription containers to the patient and
8 medicinal drugs are not dispensed on the premises;
9 specifying requirements for the policies and
10 procedures of such an institutional formulary system;
11 amending s. 627.4239, F.S.; revising the definition of
12 the term "standard reference compendium" for purposes
13 of regulating the insurance coverage of drugs used in
14 the treatment of cancer; amending s. 456.42, F.S.;
15 revising provisions specifying the information
16 required to be included in written prescriptions for
17 medicinal drugs; creating s. 465.1901, F.S.; providing
18 that provisions of ch. 468, F.S., relating to
19 orthotics and pedorthics do not apply to pharmacists;
20 requiring the Board of Pharmacy to develop rules
21 regarding the practice of orthotics and pedorthics by
22 a pharmacist; repealing s. 468.812(3), F.S., relating
23 to the practice of orthotics and pedorthics; amending
24 s. 893.04, F.S.; authorizing a pharmacist to dispense
25 a controlled substance and require photographic
26 identification without documenting certain
27 information; authorizing a pharmacist to dispense a
28 controlled substance without verification of certain
29 information by the prescriber under certain

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30 circumstances; providing an effective date.

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

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34 Section 1. Paragraph (b) of subsection (1) of section
35 627.4239, Florida Statutes, is amended to read:

36 627.4239 Coverage for use of drugs in treatment of cancer.—

37 (1) DEFINITIONS.—As used in this section, the term:

38 (b) "Standard reference compendium" means an authoritative
39 compendium identified by the Secretary of the United States
40 Department of Health and Human Services and recognized by the
41 federal Centers for Medicare and Medicaid Services;

42 ~~1. The United States Pharmacopeia Drug Information;~~

43 ~~2. The American Medical Association Drug Evaluations; or~~

44 ~~3. The American Hospital Formulary Service Drug~~
45 ~~Information.~~

46 Section 2. Section 456.42, Florida Statutes, is amended to
47 read:

48 456.42 Written prescriptions for medicinal drugs.—A written
49 prescription for a medicinal drug issued by a health care
50 practitioner licensed by law to prescribe such drug must be
51 legibly printed or typed so as to be capable of being understood
52 by the pharmacist filling the prescription; must contain the
53 name of the prescribing practitioner, the name and strength of
54 the drug prescribed, the quantity of the drug prescribed ~~in both~~
55 ~~textual and numerical formats~~, and the directions for use of the
56 drug; must be dated ~~with the month written out in textual~~
57 ~~letters~~; and must be signed by the prescribing practitioner on
58 the day when issued. A written prescription for a controlled

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59 substance listed in chapter 893 must have the quantity of the
60 drug prescribed in both textual and numerical formats and must
61 be dated with the abbreviated month written out on the face of
62 the prescription. However, a prescription that is electronically
63 generated and transmitted must contain the name of the
64 prescribing practitioner, the name and strength of the drug
65 prescribed, the quantity of the drug prescribed in numerical
66 format, and the directions for use of the drug and must be dated
67 and signed by the prescribing practitioner only on the day
68 issued, which signature may be in an electronic format as
69 defined in s. 668.003(4).

70 Section 3. Section 465.1901, Florida Statutes, is created
71 to read:

72 465.1901 Practice of orthotics and pedorthics.—The
73 provisions of chapter 468 relating to orthotics or pedorthics do
74 not apply to any licensed pharmacist or to any person acting
75 under the supervision of a licensed pharmacist. The practice of
76 orthotics or pedorthics by a pharmacist or any of the
77 pharmacist's employees acting under the supervision of a
78 pharmacist shall be construed to be within the meaning of the
79 term "practice of the profession of pharmacy" as set forth in s.
80 465.003(13), and shall be subject to regulation in the same
81 manner as any other pharmacy practice. The Board of Pharmacy
82 shall develop rules regarding the practice of orthotics and
83 pedorthics by a pharmacist. Any pharmacist or person under the
84 supervision of a pharmacist engaged in the practice of orthotics
85 or pedorthics is not precluded from continuing that practice
86 pending adoption of these rules.

87 Section 4. Subsection (3) of section 468.812, Florida

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88 Statutes, is repealed.

89 Section 5. Paragraph (d) of subsection (2) of section
90 893.04, Florida Statutes, is amended to read:

91 893.04 Pharmacist and practitioner.—

92 (2)

93 (d) Each written prescription prescribed by a practitioner
94 in this state for a controlled substance listed in Schedule II,
95 Schedule III, or Schedule IV must include both a written and a
96 numerical notation of the quantity of the controlled substance
97 prescribed on the face of the prescription and a notation of the
98 date, with the abbreviated month written out on the face of the
99 prescription. A pharmacist may, upon verification by the
100 prescriber, document any information required by this paragraph.
101 If the prescriber is not available to verify a prescription, the
102 pharmacist may dispense the controlled substance but may insist
103 that the person to whom the controlled substance is dispensed
104 provide valid photographic identification. If a prescription
105 includes a numerical notation of the quantity of the controlled
106 substance or date, but does not include the quantity or date
107 written out in textual format, the pharmacist may dispense the
108 controlled substance without verification by the prescriber of
109 the quantity or date if the pharmacy previously dispensed
110 another prescription for the person to whom the prescription was
111 written.

112 Section 6. This act shall take effect July 1, 2009.