

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

595-03706-14

2014278c3

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 s. 465.189, F.S.;
7 authorizing pharmacists to administer meningococcal
8 and shingles vaccines under certain circumstances;
9 amending ss. 456.42 and 893.04, F.S.; requiring
10 written prescriptions for specified controlled
11 substances to be legibly dated in a specified format;
12 providing an effective date.

13
14 Be It Enacted by the Legislature of the State of Florida:

15
16 Section 1. Subsection (1) of section 465.014, Florida
17 Statutes, is amended to read:

18 465.014 Pharmacy technician.—

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

595-03706-14

2014278c3

30 her agent, on behalf of a patient, regarding refill
31 authorization requests. A licensed pharmacist may not supervise
32 more than one registered pharmacy technician unless otherwise
33 permitted by the guidelines adopted by the board. The board
34 shall establish guidelines to be followed by licensees or
35 permittees in determining the circumstances under which a
36 licensed pharmacist may supervise more than one ~~but not more~~
37 ~~than three~~ pharmacy technician technicians.

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

40 465.004 Board of Pharmacy.—

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

595-03706-14

2014278c3

59 occurs until the composition of the board complies with the
60 requirements of this subsection.

61 Section 3. Subsections (1) and (2) of section 465.189,
62 Florida Statutes, are amended to read:

63 465.189 Administration of vaccines and epinephrine
64 autoinjection.—

65 (1) In accordance with guidelines of the Centers for
66 Disease Control and Prevention for each recommended immunization
67 or vaccine, a pharmacist may administer the following vaccines
68 to an adult within the framework of an established protocol
69 under a supervising physician licensed under chapter 458 or
70 chapter 459:

71 (a) Influenza vaccine.

72 (b) Pneumococcal vaccine.

73 (c) Meningococcal vaccine.

74 (d) Shingles vaccine.

75 ~~(2) In accordance with guidelines of the Centers for~~
76 ~~Disease Control and Prevention, a pharmacist may administer the~~
77 ~~shingles vaccine within the framework of an established protocol~~
78 ~~and pursuant to a written or electronic prescription issued to~~
79 ~~the patient by a physician licensed under chapter 458 or chapter~~
80 ~~459.~~

81 Section 4. Subsection (2) of section 456.42, Florida
82 Statutes, is amended to read:

83 456.42 Written prescriptions for medicinal drugs.—

84 (2) A written prescription for a controlled substance
85 listed in chapter 893 must have the quantity of the drug
86 prescribed in both textual and numerical formats, must be dated
87 in numerical, month/day/year format, or with the abbreviated

595-03706-14

2014278c3

88 month written out, or the month written out in whole ~~on the face~~
89 ~~of the prescription~~, and must be either written on a
90 standardized counterfeit-proof prescription pad produced by a
91 vendor approved by the department or electronically prescribed
92 as that term is used in s. 408.0611. As a condition of being an
93 approved vendor, a prescription pad vendor must submit a monthly
94 report to the department that ~~which~~, at a minimum, documents the
95 number of prescription pads sold and identifies the purchasers.
96 The department may, by rule, require the reporting of additional
97 information.

98 Section 5. Paragraph (d) of subsection (2) of section
99 893.04, Florida Statutes, is amended to read:

100 893.04 Pharmacist and practitioner.—

101 (2)

102 (d) Each written prescription prescribed by a practitioner
103 in this state for a controlled substance listed in Schedule II,
104 Schedule III, or Schedule IV must include both a written and a
105 numerical notation of the quantity of the controlled substance
106 prescribed ~~on the face of the prescription~~ and a legible
107 notation of the date in numerical, month/day/year format, or,
108 with the abbreviated month written out, or the month written out
109 in whole ~~on the face of the prescription~~. A pharmacist may, upon
110 verification by the prescriber, document any information
111 required by this paragraph. If the prescriber is not available
112 to verify a prescription, the pharmacist may dispense the
113 controlled substance but may insist that the person to whom the
114 controlled substance is dispensed provide valid photographic
115 identification. If a prescription includes a numerical notation
116 of the quantity of the controlled substance or date, but does

595-03706-14

2014278c3

117 not include the quantity or date written out in textual format,
118 the pharmacist may dispense the controlled substance without
119 verification by the prescriber of the quantity or date if the
120 pharmacy previously dispensed another prescription for the
121 person to whom the prescription was written.

122 Section 6. This act shall take effect July 1, 2014.