

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative La Rosa offered the following:

2
3 **Substitute Amendment for Amendment (629383) (with title**
4 **amendment)**

5 Remove everything after the enacting clause and insert:

6 Section 1. Subsection (2) of section 456.42, Florida
7 Statutes, is amended to read:

8 456.42 Written prescriptions for medicinal drugs.—

9 (2) A written prescription for a controlled substance
10 listed in chapter 893 must have the quantity of the drug
11 prescribed in both textual and numerical formats; ~~it~~ must be dated
12 on the face of the prescription in numerical month/day/year
13 format, with the abbreviated month written out, or with the
14 month written out in whole; ~~on the face of the prescription, and~~

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15 must be either written on a standardized counterfeit-proof
16 prescription pad produced by a vendor approved by the department
17 or electronically prescribed as that term is used in s.
18 408.0611. As a condition of being an approved vendor, a
19 prescription pad vendor must submit a monthly report to the
20 department that ~~which~~, at a minimum, documents the number of
21 prescription pads sold and identifies the purchasers. The
22 department may, by rule, require the reporting of additional
23 information.

24 Section 2. Subsection (1) of section 465.014, Florida
25 Statutes, is amended to read:

26 465.014 Pharmacy technician.—

27 (1) A person other than a licensed pharmacist or pharmacy
28 intern may not engage in the practice of the profession of
29 pharmacy, except that a licensed pharmacist may delegate to
30 pharmacy technicians who are registered pursuant to this section
31 those duties, tasks, and functions that do not fall within the
32 purview of s. 465.003(13). All such delegated acts must ~~shall~~ be
33 performed under the direct supervision of a licensed pharmacist
34 who shall be responsible for all such acts performed by persons
35 under his or her supervision. A registered pharmacy ~~registered~~
36 technician, under the supervision of a pharmacist, may initiate
37 or receive communications with a practitioner or his or her
38 agent, on behalf of a patient, regarding refill authorization
39 requests. A licensed pharmacist may not supervise more than
40 three ~~one~~ registered pharmacy technicians ~~technician~~ unless he

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41 or she is authorized to do so pursuant to this subsection
42 paragraph (a) or paragraph (b) otherwise permitted by the
43 guidelines adopted by the board.

44 (a) A licensed pharmacist may supervise more than three
45 but not more than six registered pharmacy technicians if he or
46 she is authorized by the board. The board shall establish by
47 rule a procedure for licensees or permittees to apply for
48 approval to supervise more than three but not more than six
49 registered pharmacy technicians and shall establish by rule
50 guidelines to be followed by licensees or permittees in
51 determining the circumstances under which a licensed pharmacist
52 may supervise more than three ~~one~~ but not more than six ~~three~~
53 pharmacy technicians. In establishing those circumstances, the
54 board shall consider, for safety purposes, the following
55 factors:

56 1. The average number of prescriptions filled each month
57 by the pharmacy where the applicant works.

58 2. Whether the pharmacy is a community pharmacy, nuclear
59 pharmacy, special pharmacy, Internet pharmacy, or institutional
60 pharmacy.

61 3. Whether the pharmacy holds a special sterile
62 compounding permit or special parenteral or enteral permit.

63 4. The pharmacy's hours of operation.

64 5. The number of licensed pharmacists working in the
65 pharmacy and the number of registered pharmacy technicians
66 supervised by each pharmacist.

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67 (b) The board must authorize any licensee or permittee
68 that submits proof to the board that the applicant is, or is
69 employed by, an entity operating an automated pharmacy system or
70 by a pharmacy performing centralized prescription filling to
71 supervise more than three registered pharmacy technicians for
72 the duration of the licensed pharmacist's employment with the
73 entity or pharmacy. A licensee or permittee authorized under
74 this paragraph to supervise more than three registered pharmacy
75 technicians shall notify the board within 30 days after the
76 licensed pharmacist ceases employment with the entity or
77 pharmacy.

78 Section 3. Paragraph (d) of subsection (2) of section
79 893.04, Florida Statutes, is amended to read:

80 893.04 Pharmacist and practitioner.—

81 (2)

82 (d) Each written prescription prescribed by a practitioner
83 in this state for a controlled substance listed in Schedule II,
84 Schedule III, or Schedule IV must include ~~both a written and a~~
85 ~~numerical notation of~~ the quantity of the controlled substance
86 prescribed in both textual and numerical formats on the face of
87 the prescription and must be dated on the face of the
88 prescription in numerical month/day/year format ~~a notation of~~
89 ~~the date,~~ with the abbreviated month written out ~~on the face of~~
90 ~~the prescription,~~ or with the month written out in whole. A
91 pharmacist may, upon verification by the prescriber, document
92 any information required by this paragraph. If the prescriber is

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93 not available to verify a prescription, the pharmacist may
 94 dispense the controlled substance but may insist that the person
 95 to whom the controlled substance is dispensed provide valid
 96 photographic identification. If a prescription includes a
 97 numerical notation of the quantity of the controlled substance
 98 or date, but does not include the quantity or date written out
 99 in textual format, the pharmacist may dispense the controlled
 100 substance without verification by the prescriber of the quantity
 101 or date if the pharmacy previously dispensed another
 102 prescription for the person to whom the prescription was
 103 written.

104 Section 4. This act shall take effect July 1, 2014.

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106

107 **T I T L E A M E N D M E N T**

108 Remove everything before the enacting clause and insert:

109 A bill to be entitled

110 An act relating to pharmacy; amending s. 456.42, F.S.;
 111 requiring written prescriptions for specified
 112 controlled substances to be dated in a specified
 113 format; amending s. 465.014, F.S.; revising the number
 114 of registered pharmacy technicians that a licensed
 115 pharmacist may supervise; requiring authorization from
 116 the Board of Pharmacy for a licensed pharmacist to
 117 supervise more than a specified number of pharmacy
 118 technicians; requiring the board to establish a

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119 procedure for authorizing licensed pharmacists to
120 supervise more than a specified number of pharmacy
121 technicians; requiring the board to authorize certain
122 licensed pharmacists to supervise more than a
123 specified number of pharmacy technicians under certain
124 circumstances; amending s. 893.04, F.S.; requiring
125 written prescriptions for specified controlled
126 substances to be dated in a specified format;
127 providing an effective date.

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