



CS/HB 323, Engrossed 1

2014

1 A bill to be entitled
2 An act relating to pharmacy; amending s. 456.42, F.S.;
3 requiring written prescriptions for specified
4 controlled substances to be dated in a specified
5 format; amending s. 465.014, F.S.; providing the
6 number of registered pharmacy technicians a licensed
7 pharmacist may supervise if approved by the Board of
8 Pharmacy after considering certain factors; requiring
9 the board to authorize a licensed pharmacist to
10 supervise more than three pharmacy technicians if a
11 licensee is employed by certain entities; requiring a
12 licensee to provide the board with notice of
13 employment status under certain circumstances;
14 amending s. 465.189, F.S.; authorizing pharmacists to
15 administer meningococcal and shingles vaccines under
16 certain circumstances; providing an effective date.
17
18 Be It Enacted by the Legislature of the State of Florida:
19
20 Section 1. Subsection (2) of section 456.42, Florida
21 Statutes, is amended to read:
22 456.42 Written prescriptions for medicinal drugs.—
23 (2) A written prescription for a controlled substance
24 listed in chapter 893 must have the quantity of the drug
25 prescribed in both textual and numerical formats, must be dated



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26 | on the prescription in numerical, month/day/year format or with
27 | the abbreviated month written out, or the month written out in
28 | whole ~~on the face of the prescription,~~ and must be either
29 | written on a standardized counterfeit-proof prescription pad
30 | produced by a vendor approved by the department or
31 | electronically prescribed as that term is used in s. 408.0611.
32 | As a condition of being an approved vendor, a prescription pad
33 | vendor must submit a monthly report to the department that
34 | ~~which,~~ at a minimum, documents the number of prescription pads
35 | sold and identifies the purchasers. The department may, by rule,
36 | require the reporting of additional information.

37 | Section 2. Subsection (1) of section 465.014, Florida
38 | Statutes, is amended to read:

39 | 465.014 Pharmacy technician.—

40 | (1) A person other than a licensed pharmacist or pharmacy
41 | intern may not engage in the practice of the profession of
42 | pharmacy, except that a licensed pharmacist may delegate to
43 | pharmacy technicians who are registered pursuant to this section
44 | those duties, tasks, and functions that do not fall within the
45 | purview of s. 465.003(13). All such delegated acts must ~~shall~~ be
46 | performed under the direct supervision of a licensed pharmacist
47 | who is ~~shall be~~ responsible for all such acts performed by
48 | persons under his or her supervision. A registered pharmacy
49 | ~~registered~~ technician, under the supervision of a pharmacist,
50 | may initiate or receive communications with a practitioner or



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51 his or her agent, on behalf of a patient, regarding refill
52 authorization requests. A licensed pharmacist may supervise up
53 to three registered pharmacy technicians ~~not supervise more than~~
54 ~~one registered pharmacy technician~~ unless otherwise authorized
55 ~~permitted by the guidelines adopted~~ by the board pursuant to
56 this subsection.

57 (a) The board shall establish by rule circumstances under
58 which a licensee who applies to the board for approval may
59 ~~guidelines to be followed by licensees or permittees in~~
60 ~~determining the circumstances under which a licensed pharmacist~~
61 ~~may~~ supervise more than three, ~~one~~ but not more than six
62 registered three pharmacy technicians. In establishing these
63 circumstances, the board shall consider, for safety, the
64 following factors:

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

67 2. Whether the pharmacy is a community pharmacy, nuclear
68 pharmacy, special pharmacy, Internet pharmacy, or institutional
69 pharmacy.

70 3. Whether the pharmacy holds a special sterile
71 compounding permit, or special parenteral or enteral permit.

72 4. The pharmacy's hours of operation.

73 5. The number of licensed pharmacists working in the
74 pharmacy and the number of registered pharmacy technicians
75 supervised by each pharmacist.



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76 (b) The board must authorize a licensee, who submits proof
77 to the board that he or she is employed by an entity operating
78 an automated pharmacy system or by a pharmacy performing
79 centralized prescription filling, to supervise more than three
80 registered pharmacy technicians as long as that licensee is
81 employed by that entity or pharmacy. The licensee must notify
82 the board within 30 days after the licensee is no longer
83 employed by the entity or pharmacy.

84 Section 3. Paragraphs (c) and (d) are added to subsection
85 (1) of section 465.189, Florida Statutes, and subsection (2) of
86 that section is amended, to read:

87 465.189 Administration of vaccines and epinephrine
88 autoinjection.—

89 (1) In accordance with guidelines of the Centers for
90 Disease Control and Prevention for each recommended immunization
91 or vaccine, a pharmacist may administer the following vaccines
92 to an adult within the framework of an established protocol
93 under a supervising physician licensed under chapter 458 or
94 chapter 459:

95 (c) Meningococcal vaccine.

96 (d) Shingles vaccine.

97 ~~(2) In accordance with guidelines of the Centers for~~
98 ~~Disease Control and Prevention, a pharmacist may administer the~~
99 ~~shingles vaccine within the framework of an established protocol~~
100 ~~and pursuant to a written or electronic prescription issued to~~



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101 | ~~the patient by a physician licensed under chapter 458 or chapter~~
102 | ~~459.~~

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