

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	___	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

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1 Committee/Subcommittee hearing bill: Health & Human Services  
2 Committee

3 Representative Willhite offered the following:

4

5 **Amendment (with title amendment)**

6 Between lines 38 and 39, insert:

7 Section 1. Section 465.0235, Florida Statutes, is amended  
8 to read:

9 465.0235 Automated pharmacy systems used by long-term care  
10 facilities, hospices, or state correctional institutions or for  
11 outpatient dispensing.-

12 (1) A pharmacy may provide pharmacy services to a long-  
13 term care facility or hospice licensed under chapter 400 or  
14 chapter 429 or a state correctional institution operated under  
15 chapter 944 through the use of an automated pharmacy system that  
16 need not be located at the same location as the pharmacy.

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17       (2) A community pharmacy, as defined in s. 465.003 and  
18 licensed in this state, may provide pharmacy services for  
19 outpatient dispensing through the use of an automated pharmacy  
20 system that need not be located at the same location as the  
21 community pharmacy if:

22       (a) The automated pharmacy system is under the supervision  
23 and control of the community pharmacy.

24       (b) The community pharmacy providing services through the  
25 automated pharmacy system notifies the board of the location of  
26 the automated pharmacy system and any changes in such location.

27       (c) The automated pharmacy system is under the supervision  
28 and control of a pharmacist, as defined in s. 465.003 and  
29 licensed in this state, who is available and accessible for  
30 patient counseling before the dispensing of any medicinal drug.

31       (d) The automated pharmacy system does not contain or  
32 dispense any controlled substances listed in Schedule II,  
33 Schedule III, Schedule IV, or Schedule V of s. 893.03 or 21  
34 U.S.C. s. 812.

35       (e) The community pharmacy maintains a record of the  
36 medicinal drugs dispensed, including the identity of the  
37 pharmacist responsible for verifying the accuracy of the dosage  
38 and directions and providing patient counseling.

39       (f) The automated pharmacy system ensures the  
40 confidentiality of personal health information.

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41        ~~(3)-(2)~~ Medicinal drugs stored in bulk or unit of use in an  
42 automated pharmacy system servicing a long-term care facility,  
43 hospice, or correctional institution, or for outpatient  
44 dispensing, are part of the inventory of the pharmacy providing  
45 pharmacy services to that facility, hospice, or institution, or  
46 for outpatient dispensing, and medicinal drugs delivered by the  
47 automated pharmacy system are considered to have been dispensed  
48 by that pharmacy.

49        ~~(4)-(3)~~ The operation of an automated pharmacy system must  
50 be under the supervision of a ~~Florida-licensed~~ pharmacist  
51 licensed in this state. To qualify as a supervisor for an  
52 automated pharmacy system, the pharmacist need not be physically  
53 present at the site of the automated pharmacy system and may  
54 supervise the system electronically. The ~~Florida-licensed~~  
55 pharmacist shall be required to develop and implement policies  
56 and procedures designed to verify that the medicinal drugs  
57 delivered by the automated dispensing system are accurate and  
58 valid and that the machine is properly restocked.

59        ~~(5)-(4)~~ The Legislature does not intend this section to  
60 limit the current practice of pharmacy in this state. This  
61 section is intended to allow automated pharmacy systems to  
62 enhance the ability of a pharmacist to provide pharmacy services  
63 in locations that do not employ a full-time pharmacist. This  
64 section does not limit or replace the use of a consultant  
65 pharmacist.

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66        ~~(6)-(5)~~ The board shall adopt rules governing the use of ~~an~~  
67 automated pharmacy systems ~~system by January 1, 2005~~, which must  
68 include specify:

69            (a) Recordkeeping requirements. ~~†~~

70            (b) Security requirements. ~~†~~ and

71            (c) Labeling requirements that permit the use of unit-dose  
72 medications if the facility, hospice, or institution maintains  
73 medication-administration records that include directions for  
74 use of the medication and the automated pharmacy system  
75 identifies:

76            1. The dispensing pharmacy. ~~†~~

77            2. The prescription number. ~~†~~

78            3. The name of the patient. ~~†~~ and

79            4. The name of the prescribing practitioner.

80

81

82        -----

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

84        Remove line 7 and insert:

85 a hospital under certain circumstances; amending s. 465.0235,  
86 F.S.; authorizing a community pharmacy to use an automated  
87 pharmacy system under certain circumstances; providing that  
88 certain medicinal drugs stored in such system for outpatient  
89 dispensing are part of the inventory of the pharmacy providing

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90 | services through such system; requiring the Board of Pharmacy to  
91 | adopt rules; providing an