

1                   A bill to be entitled  
2           An act relating to pharmacy; amending s. 465.003,  
3           F.S.; revising the definition of the term "practice of  
4           the profession of pharmacy"; amending s. 465.0125,  
5           F.S.; authorizing a consultant pharmacist to perform  
6           specified services under certain conditions; revising  
7           the responsibilities of a consultant pharmacist;  
8           requiring a consultant pharmacist and a collaborating  
9           practitioner to maintain collaborative practice  
10          agreements; requiring collaborative practice  
11          agreements to be made available upon request from or  
12          upon inspection by the Department of Health; defining  
13          the term "health care facility"; conforming provisions  
14          to changes made by the act; providing an effective  
15          date.

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

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19           Section 1. Subsection (13) of section 465.003, Florida  
20   Statutes, is amended to read:

21           465.003 Definitions.—As used in this chapter, the term:  
22           (13) "Practice of the profession of pharmacy" includes  
23   compounding, dispensing, and consulting concerning contents,  
24   therapeutic values, and uses of any medicinal drug; consulting  
25   concerning therapeutic values and interactions of patent or

26 | proprietary preparations, whether pursuant to prescriptions or  
27 | in the absence and entirely independent of such prescriptions or  
28 | orders; and conducting other pharmaceutical services. For  
29 | purposes of this subsection, "other pharmaceutical services"  
30 | means the monitoring of the patient's drug therapy and assisting  
31 | the patient in the management of his or her drug therapy, and  
32 | includes review and recommendations made in ~~of the patient's~~  
33 | ~~drug therapy and~~ communication with the patient's prescribing  
34 | health care provider as licensed under chapter 458, chapter 459,  
35 | chapter 461, or chapter 466, or a similar statutory provision in  
36 | another jurisdiction, or such provider's agent or such other  
37 | persons as specifically authorized by the patient, regarding the  
38 | patient's drug therapy and health care status. However, ~~nothing~~  
39 | ~~in~~ this subsection may not be interpreted to permit an  
40 | alteration of a prescriber's directions, the diagnosis or  
41 | treatment of any disease, the initiation of any drug therapy,  
42 | the practice of medicine, or the practice of osteopathic  
43 | medicine, unless otherwise permitted by law. "Practice of the  
44 | profession of pharmacy" also includes any other act, service,  
45 | operation, research, or transaction incidental to, or forming a  
46 | part of, any of the foregoing acts, requiring, involving, or  
47 | employing the science or art of any branch of the pharmaceutical  
48 | profession, study, or training, and shall expressly permit a  
49 | pharmacist to transmit information from persons authorized to  
50 | prescribe medicinal drugs to their patients. The practice of the

51 | profession of pharmacy also includes the administration of  
 52 | vaccines to adults pursuant to s. 465.189 and the preparation of  
 53 | prepackaged drug products in facilities holding Class III  
 54 | institutional pharmacy permits. The term also includes the  
 55 | ordering and evaluating of any laboratory or clinical testing;  
 56 | conducting patient assessments; and initiating, modifying,  
 57 | discontinuing, or administering medicinal drugs pursuant to s.  
 58 | 465.0125.

59 | Section 2. Section 465.0125, Florida Statutes, is amended  
 60 | to read:

61 | 465.0125 Consultant pharmacist license; application,  
 62 | renewal, fees; responsibilities; rules.—

63 | (1) The department shall issue or renew a consultant  
 64 | pharmacist license upon receipt of an initial or renewal  
 65 | application that ~~which~~ conforms to the requirements for  
 66 | consultant pharmacist initial licensure or renewal as adopted  
 67 | ~~promulgated~~ by the board by rule and a fee set by the board not  
 68 | to exceed \$250. To be licensed as a consultant pharmacist, a  
 69 | pharmacist must complete additional training as required by the  
 70 | board.

71 | (a) A consultant pharmacist may provide medication  
 72 | management services within the framework of a collaborative  
 73 | practice agreement between the pharmacist and a physician  
 74 | licensed under chapter 458 or chapter 459, a podiatric physician  
 75 | licensed under chapter 461, or a dentist licensed under chapter

76 466, who is authorized to prescribe medicinal drugs. Such  
77 collaborative practice agreement must outline the circumstances  
78 under which the consultant pharmacist may:

79 1. Order and evaluate any laboratory or clinical tests to  
80 promote and evaluate patient health and wellness, and monitor  
81 drug therapy and treatment outcomes.

82 2. Conduct patient assessments as appropriate to evaluate  
83 and monitor drug therapy.

84 3. Initiate, modify, or discontinue medicinal drugs as  
85 outlined in the agreed upon patient-specific order or  
86 preapproved treatment protocol under the direction of a  
87 physician.

88 4. Administer medicinal drugs.

89 (b) A ~~The~~ consultant pharmacist shall maintain be  
90 responsible for maintaining all drug, patient care, and quality  
91 assurance records as required by law and, with the collaborating  
92 practitioner, shall maintain collaborative practice agreements  
93 that must be available upon request from or upon inspection by  
94 the department.

95 (c) For purposes of this subsection, the term "health care  
96 facility" means an ambulatory surgical center or hospital  
97 licensed under chapter 395, an alcohol or chemical dependency  
98 treatment center licensed under chapter 397, a hospice licensed  
99 under part IV of chapter 400, a nursing home licensed under part  
100 II of chapter 400, a home health agency licensed under part III

101 of chapter 400, an ambulatory care center as defined in s.  
102 408.07, or a nursing home component under chapter 400 within a  
103 continuing care facility licensed under chapter 651. ~~for~~  
104 ~~establishing drug handling procedures for the safe handling and~~  
105 ~~storage of drugs. The consultant pharmacist may also be~~  
106 ~~responsible for ordering and evaluating any laboratory or~~  
107 ~~clinical testing when, in the judgment of the consultant~~  
108 ~~pharmacist, such activity is necessary for the proper~~  
109 ~~performance of the consultant pharmacist's responsibilities.~~  
110 ~~Such laboratory or clinical testing may be ordered only with~~  
111 ~~regard to patients residing in a nursing home facility, and then~~  
112 ~~only when authorized by the medical director of the nursing home~~  
113 ~~facility. The consultant pharmacist must have completed such~~  
114 ~~additional training and demonstrate such additional~~  
115 ~~qualifications in the practice of institutional pharmacy as~~  
116 ~~shall be required by the board in addition to licensure as a~~  
117 ~~registered pharmacist.~~

118 ~~(2) Notwithstanding the provisions of subsection (1), a~~  
119 ~~consultant pharmacist or a doctor of pharmacy licensed in this~~  
120 ~~state may also be responsible for ordering and evaluating any~~  
121 ~~laboratory or clinical testing for persons under the care of a~~  
122 ~~licensed home health agency when, in the judgment of the~~  
123 ~~consultant pharmacist or doctor of pharmacy, such activity is~~  
124 ~~necessary for the proper performance of his or her~~  
125 ~~responsibilities and only when authorized by a practitioner~~

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126 | ~~licensed under chapter 458, chapter 459, chapter 461, or chapter~~  
127 | ~~466. In order for the consultant pharmacist or doctor of~~  
128 | ~~pharmacy to qualify and accept this authority, he or she must~~  
129 | ~~receive 3 hours of continuing education relating to laboratory~~  
130 | ~~and clinical testing as established by the board.~~

131 |        (2)~~(3)~~ The board shall adopt ~~promulgate~~ rules necessary to  
132 | implement and administer this section.

133 |        Section 3. This act shall take effect July 1, 2019.