

1 A bill to be entitled

2 An act relating to consultant pharmacists; amending s.
3 465.003, F.S.; revising the definition of the term
4 "practice of the profession of pharmacy"; amending s.
5 465.0125, F.S.; requiring a pharmacist to complete
6 additional training to be licensed as a consultant
7 pharmacist; authorizing a consultant pharmacist to
8 perform specified services under certain conditions;
9 prohibiting a consultant pharmacist from modifying or
10 discontinuing medicinal drugs prescribed by a health
11 care practitioner under certain conditions; revising
12 the responsibilities of a consultant pharmacist;
13 requiring a consultant pharmacist and a collaborating
14 practitioner to maintain collaborative practice
15 agreements; requiring collaborative practice
16 agreements to be made available upon request from or
17 upon inspection by the Department of Health;
18 prohibiting a consultant pharmacist from diagnosing
19 any disease or condition; defining the term "health
20 care facility"; providing an effective date.

21
22 Be It Enacted by the Legislature of the State of Florida:

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

26 465.003 Definitions.—As used in this chapter, the term:
27 (13) "Practice of the profession of pharmacy" includes
28 compounding, dispensing, and consulting concerning contents,
29 therapeutic values, and uses of any medicinal drug; consulting
30 concerning therapeutic values and interactions of patent or
31 proprietary preparations, whether pursuant to prescriptions or
32 in the absence and entirely independent of such prescriptions or
33 orders; and conducting other pharmaceutical services. For
34 purposes of this subsection, the term "other pharmaceutical
35 services" means ~~the monitoring of~~ the patient's drug therapy and
36 assisting the patient in the management of his or her drug
37 therapy, and includes reviewing, and making recommendations
38 regarding, ~~review of~~ the patient's drug therapy and health care
39 status in communication with the patient's prescribing health
40 care provider as licensed under chapter 458, chapter 459,
41 chapter 461, or chapter 466, or a similar statutory provision in
42 another jurisdiction, or such provider's agent or such other
43 persons as specifically authorized by the patient, ~~regarding the~~
44 ~~drug therapy~~. However, ~~nothing in~~ this subsection may not be
45 interpreted to permit an alteration of a prescriber's
46 directions, the diagnosis or treatment of any disease, the
47 initiation of any drug therapy, the practice of medicine, or the
48 practice of osteopathic medicine, unless otherwise permitted by
49 law. The term "practice of the profession of pharmacy" also
50 includes any other act, service, operation, research, or

51 transaction incidental to, or forming a part of, any of the
 52 foregoing acts, requiring, involving, or employing the science
 53 or art of any branch of the pharmaceutical profession, study, or
 54 training, and shall expressly permit a pharmacist to transmit
 55 information from persons authorized to prescribe medicinal drugs
 56 to their patients. The practice of the profession of pharmacy
 57 also includes the administration of vaccines to adults pursuant
 58 to s. 465.189 and the preparation of prepackaged drug products
 59 in facilities holding Class III institutional pharmacy permits.
 60 The term also includes the ordering and evaluating of any
 61 laboratory or clinical testing; conducting patient assessments;
 62 and implementing, modifying, discontinuing, or administering
 63 medicinal drugs pursuant to s. 465.0125.

64 Section 2. Section 465.0125, Florida Statutes, is amended
 65 to read:

66 465.0125 Consultant pharmacist license; application,
 67 renewal, fees; responsibilities; rules.—

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

76 (a) A consultant pharmacist may provide medication
77 management services within the framework of a collaborative
78 practice agreement between the pharmacist and a health care
79 facility medical director or a physician licensed under chapter
80 458 or chapter 459, a podiatric physician licensed under chapter
81 461, or a dentist licensed under chapter 466 who is authorized
82 to prescribe medicinal drugs.

83 (b) A collaborative practice agreement must outline the
84 circumstances under which the consultant pharmacist may:

85 1. Order and evaluate any laboratory or clinical tests to
86 promote and evaluate patient health and wellness, and monitor
87 drug therapy and treatment outcomes.

88 2. Conduct patient assessments as appropriate to evaluate
89 and monitor drug therapy.

90 3. Implement, modify, or discontinue medicinal drugs as
91 outlined in the agreed upon patient-specific order or
92 preapproved treatment protocol under the direction of a
93 physician. However, a consultant pharmacist may not modify or
94 discontinue medicinal drugs prescribed by a health care
95 practitioner who does not have a collaborative practice
96 agreement with the consultant pharmacist.

97 4. Administer medicinal drugs.

98 (c) A ~~The~~ consultant pharmacist shall maintain ~~be~~
99 ~~responsible for maintaining~~ all drug, patient care, and quality
100 assurance records as required by law and, with the collaborating

101 practitioner, shall maintain collaborative practice agreements
102 that must be available upon request from or upon inspection by
103 the department.

104 (d) This subsection does not authorize a consultant
105 pharmacist to diagnose any disease or condition.

106 (e) For purposes of this subsection, the term "health care
107 facility" means an ambulatory surgical center or hospital
108 licensed under chapter 395, an alcohol or chemical dependency
109 treatment center licensed under chapter 397, an inpatient
110 hospice licensed under part IV of chapter 400, a nursing home
111 licensed under part II of chapter 400, an ambulatory care center
112 as defined in s. 408.07, or a nursing home component under
113 chapter 400 within a continuing care facility licensed under
114 chapter 651 ~~for establishing drug handling procedures for the~~
115 ~~safe handling and storage of drugs. The consultant pharmacist~~
116 ~~may also be responsible for ordering and evaluating any~~
117 ~~laboratory or clinical testing when, in the judgment of the~~
118 ~~consultant pharmacist, such activity is necessary for the proper~~
119 ~~performance of the consultant pharmacist's responsibilities.~~
120 ~~Such laboratory or clinical testing may be ordered only with~~
121 ~~regard to patients residing in a nursing home facility, and then~~
122 ~~only when authorized by the medical director of the nursing home~~
123 ~~facility. The consultant pharmacist must have completed such~~
124 ~~additional training and demonstrate such additional~~
125 ~~qualifications in the practice of institutional pharmacy as~~

126 | ~~shall be required by the board in addition to licensure as a~~
127 | ~~registered pharmacist.~~

128 | (2) Notwithstanding ~~the provisions of~~ subsection (1), a
129 | consultant pharmacist or a doctor of pharmacy licensed in this
130 | state may also be responsible for ordering and evaluating any
131 | laboratory or clinical testing for persons under the care of a
132 | licensed home health agency when, in the judgment of the
133 | consultant pharmacist or doctor of pharmacy, such activity is
134 | necessary for the proper performance of his or her
135 | responsibilities and only when authorized by a practitioner
136 | licensed under chapter 458, chapter 459, chapter 461, or chapter
137 | 466. In order for the consultant pharmacist or doctor of
138 | pharmacy to qualify and accept this authority, he or she must
139 | receive 3 hours of continuing education relating to laboratory
140 | and clinical testing as established by the board.

141 | (3) The board shall adopt ~~promulgate~~ rules necessary to
142 | implement and administer this section.

143 | Section 3. This act shall take effect July 1, 2020.