1 A bill to be entitled 2 An act relating to HIV infection prevention drugs; 3 creating s. 465.1861, F.S.; defining terms; authorizing licensed pharmacists to screen for HIV 4 5 exposure and order and dispense HIV infection 6 prevention drugs in accordance with a certain written 7 supervisory protocol or statewide drug therapy 8 protocol; requiring pharmacists to be certified by the 9 Board of Pharmacy before ordering and dispensing HIV infection prevention drugs; requiring the board, in 10 11 consultation with the Board of Medicine and the Board of Osteopathic Medicine, to adopt rules for such 12 13 certification; specifying minimum requirements for the 14 certification; requiring the board, in consultation 15 with the Board of Medicine, the Board of Osteopathic 16 Medicine, and the Department of Health, to develop a 17 certain statewide drug therapy protocol; providing 18 requirements for development of the protocol; 19 requiring the board to adopt rules; providing an 20 effective date. 21 22 Be It Enacted by the Legislature of the State of Florida: 23 24 Section 1. Section 465.1861, Florida Statutes, is created 25 to read:

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26 <u>465.1861</u> Ordering and d	ispensing HIV infection prevention
27 <u>drugs</u>	
28 <u>(1) As used in this sec</u>	tion, the term:
29 <u>(a) "HIV" means the hum</u>	an immunodeficiency virus.
30 (b) "HIV infection prev	ention drug" means preexposure
31 prophylaxis, postexposure pro	phylaxis, and any other drug
32 approved by the United States	Food and Drug Administration for
33 the prevention of HIV infecti	on.
34 <u>(c)</u> "Postexposure proph	ylaxis" means a drug or drug
35 <u>combination that meets the cl</u>	inical eligibility recommendations
36 of the United States Centers	for Disease Control and Prevention
37 guidelines for antiretroviral	treatment following potential
38 <u>exposure to HIV.</u>	
39 <u>(d) "Preexposure prophy</u>	laxis" means a drug or drug
40 <u>combination that meets the cl</u>	inical eligibility recommendations
41 of the United States Centers	for Disease Control and Prevention
42 guidelines for antiretroviral	treatment for the prevention of
43 <u>HIV transmission.</u>	
44 <u>(2) A pharmacist may sc</u>	reen for HIV exposure and order and
45 dispense HIV infection preven	tion drugs in accordance with a
46 written protocol between the	pharmacist and a supervising
47 physician or a statewide drug	therapy protocol developed
48 pursuant to subsection (4).	
49 (3) Before ordering or	dispensing HIV infection prevention
50 drugs under this section, a p	harmacist must be certified by the
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FLORIDA	HOUSE	OF REPP	RESENTA	A T I V E S
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51	board, according to the rules adopted by the board, in
52	consultation with the Board of Medicine and the Board of
53	Osteopathic Medicine. To be certified, a pharmacist must, at a
54	minimum, meet all of the following criteria:
55	(a) Hold an active and unencumbered license to practice
56	pharmacy under this chapter.
57	(b) Be engaged in the active practice of pharmacy.
58	(c) Have earned a doctorate of pharmacy degree or have
59	completed at least 5 years of experience as a licensed
60	pharmacist.
61	(d) Maintain at least \$250,000 of liability coverage. A
62	pharmacist who maintains liability coverage pursuant to s.
63	465.1865 or s. 465.1895 satisfies this requirement.
64	(e) Have completed a course approved by the board, in
65	consultation with the Board of Medicine and the Board of
66	Osteopathic Medicine, which includes, at a minimum, instruction
67	on all of the following:
68	1. Performance of patient assessments.
69	2. Point-of-care testing procedures.
70	3. Safe and effective treatment of HIV exposure with HIV
71	infection prevention drugs.
72	4. Identification of contraindications.
73	(4) The board, in consultation with the Board of Medicine,
74	the Board of Osteopathic Medicine, and the department, shall
75	develop a statewide drug therapy protocol for pharmacists to

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76	test or screen for HIV exposure and order and dispense HIV
77	infection prevention drugs. In development of the statewide drug
78	therapy protocol, the board must consider, at a minimum, all of
79	the following:
80	(a) Physician referrals.
81	(b) Lab testing, including prescribing HIV preexposure and
82	postexposure screening tests.
83	(c) Appropriate referrals consistent with guidelines of
84	the United States Centers for Disease Control and Prevention.
85	(d) Counseling consistent with guidelines of the United
86	States Centers for Disease Control and Prevention.
87	(e) Patient follow-up care and counseling.
88	(5) The board shall adopt rules to implement this section,
89	including rules that establish protocols for ordering and
90	dispensing HIV infection prevention drugs.
91	Section 2. This act shall take effect July 1, 2024.

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