

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.

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

23  
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 modifying, discontinuing, or administering medicinal drugs  
63 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. Modify or discontinue medicinal drugs as outlined in  
91 the agreed upon patient-specific order or preapproved treatment  
92 protocol under the direction of a physician. However, a  
93 consultant pharmacist may not modify or discontinue medicinal  
94 drugs prescribed by a health care practitioner who does not have  
95 a collaborative practice agreement with the consultant  
96 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.