



PAM BONDI
ATTORNEY GENERAL
STATE OF FLORIDA

OFFICE OF THE ATTORNEY GENERAL
Administrative Law

Angela Southwell
Paralegal Specialist
PL-01 The Capitol
Tallahassee, FL 32399-1050
Phone (850) 414-3772
Fax (850) 922-6425
angela.southwell@myfloridalegal.com

MEMORANDUM

RECEIVED

MAR 26 2014

Florida Board of Pharmacy

TO: Tammy Collins, Acting Executive Director
Board of Pharmacy

FROM: Angela Southwell, Paralegal Specialist

RE: Notice of Change
Rule 64B16-28.303

DATE: March 12, 2014

The above-referenced Notice was submitted to the Bureau of Administrative Code on February 28, 2014, for publication in the Florida Administrative Register on March 3, 2014. Enclosed is a copy for your records.

If you have any questions or concerns, please feel free to contact me.

Enclosure

cc: DOH General Counsel

DEPARTMENT OF HEALTH
BOARD OF PHARMACY

RULE TITLE:

Destruction of Controlled Substances All Permittees
(excluding Nursing Homes).

RULE NUMBER:

64B16-28.303

NOTICE OF CHANGE

Notice is hereby given that the following change has been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1, F.S., published in Vol. 40, No. 22, of the February 3, 2014, issue of the Florida Administrative Register. The change is in response to written comments submitted by the staff of the Joint Administrative Procedures Committee. The changes are as follows:

1. Subsection (2) shall now read as follows:

(2) Permittees are required to complete a United States Drug Enforcement Administration (D.E.A.) Form DEA-41 "Registrants Inventory of Drugs Surrendered" (effective 8/21/2014), herein incorporated by reference, available at http://www.deadiversion.usdoj.gov/21cfr_reports/surrend/. This form, at the time of destruction, shall be witnessed and signed by the prescription department manager or the consultant pharmacist of record and D.E.A. agent, or a Department inspector. This method of destruction requires that a copy of the completed and witnessed Form DEA-41 be mailed to the D.E.A. office in his/her area within one (1) business day after the destruction.

2. For subsection (3), the form number will be changed to from "D.E.A. Form 41" to "Form DEA-41".

3. Subsection (5) shall now read as follows:

(5) For patient specific controlled substance prescriptions in a Modified Institutional Class II B pharmacy, the destruction method in 64B16-28.301(2) must be followed.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Tammy Collins, Acting Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254.

RECEIVED
2014 MAR -3 PM 2:41
JOINT ADMINISTRATIVE
PROCEDURES COMMITTEE