AGENDA
DEPARTMENT OF HEALTH
BOARD OF PHARMACY
FULL BOARD MEETING
LEGISLATIVE UPDATE – CONFERENCE CALL

January 21, 2016

12:30 pm

Call-in number: 888-670-3525

Code: 5134896685

Board Members
Debra B. Glass, BPharm, Chair, Tallahassee
Mark Mikhael, PharmD, Vice-Chair, Orlando
Goar Alvarez, PharmD, Cooper City
Michele Weizer, PharmD, Chair, Boca Raton
Leo "Lee" Fallon, BPharm, PhD, The Villages
Gavin Meshad, Consumer Member, Sarasota
Jeenu Philip, BPharm, Jacksonville
Jeffrey J. Mesaros, PharmD, JD, Orlando
David Bisaillon, Consumer Member, Bradenton

Board Staff
Allison Dudley, Executive Director
Emily Roach, Program Operations Administrator
Amber Greene, Regulatory Specialist III

Board Counsel
David Flynn, Assistant Attorney General
Lawrence Harris, Assistant Attorney General

Thursday, January 21, 2016, 12:30 pm

Board of Pharmacy Chair Debra B. Glass called the meeting to order at 12:30 p.m. Member Gavin Meshad was absent.

1. Legislation

A. SB 7038 – Controlled Substances

Executive Director Allison Dudley explained that SB 7038 clarifies how Schedule II through V controlled substances are to be electronically prescribed, which follows federal law; strikes the monthly 5,000 dose threshold in section 499.0121, F.S., that requires drug wholesalers to assess reasonability of orders; and amends section 893.055, F.S., to allow a designee of a pharmacy, prescriber or dispenser to access the Prescription Drug Monitoring Program database as well as adding provisions for a Department-hired impaired practitioner consultant to review the database when a participant in the program has agreed in writing to the review.

Board members agreed that the 5,000 dose elimination was supported by the Board during controlled substance committee discussions.

Members stated that allowing a designee, who would be fingerprinted and held to the same standards as a pharmacist or prescriber, to access the PDMP would support pharmacists' efforts to improve patient care.

Motion: by Dr. Jeffrey Mesaros, to support SB 7038. Motion carried unanimously.

B. SB 1378 - Drug Safety

Ms. Dudley said SB 1378 places new requirements on all categories of pharmacies to offer for sale a prescription lock box. It also requires the Department to create a pamphlet for distribution.

Board members discussed complications with requiring all pharmacies, specifically institutional and specialty pharmacies, to provide lock boxes for sale. They agreed that the intention to encourage patients to lock up medicines was good. However, the legislation as written could provide a financial burden to pharmacies that do not have retail functions or have limited retail functions.

Gary Dalin of the Florida Society of Health-System Pharmacists said hospital pharmacies would have difficulty offering a lock box for sale. Most do not see patients unless it's during the discharge process.

Motion: by Dr. Lee Fallon, to oppose SB 1378. Motion carried unanimously.

C. SB 1472 – Prescription Medication

Ms. Dudley explained that SB 1472 requires all prescriptions and labels, including those for controlled substances to include the medical condition.

Board members raised concerns about HIPPA requirements and the economic impact on pharmacies to change software so that additional information can be provided on labels. Also, they said it could create a barrier to filling prescriptions if the diagnosis is not on the prescription or doesn't match with the drug uses. Having medical condition information on the labels could open pharmacies to third-party audits as well.

Motion: by Dr. Fallon, to oppose SB 1472. Motion carried unanimously.

D. SB 1528 – Illicit Drugs

Ms. Dudley said SB 1528 includes revisions to section 893.03, F.S., which adds new controlled substances to the schedules. Mr. David Flynn explained that the language also adds precursors and analogs to the schedules.

Board members were concerned about making a decision on the 200 page list of drugs without more information.

Motion: to table. Motion carried unanimously.

Comments:

Dr. Goar Alvarez asked for the Board to discuss at the next meeting HB 1093 and HB 583.

Motion: by Dr. Fallon, to adjourn. Motion carried. Meeting adjourned at 12:58 p.m.