

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

March 3, 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, 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 Bisailon, 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

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Thursday, March 3, 2016, 12:30 pm

Vice-Chair, Mark Mikhael called the meeting to order at 12:31 p.m. Members Debra Glass and Goar Alvarez were absent.

**1. Legislation**

Ms. Dudley stated we would skip SB 152 – Ordering of Medication and discuss the companion bill HB 1241.

HB 1241 - Ordering of Medication

Ms. Dudley stated the bill has been engrossed in the House. Section one relates to dispensing of Naloxone. This bill would allow pharmacists to dispense Naloxone pursuant to a non-patient specific standing order. Ms. Dudley stated there was language that may impact the Board that redefines a prescription by exempting an “order for administration” from the definition. Ms. Dudley noted that

there was an amendment filed by Senator Grimsley that leaves the definition of prescription alone but continues to make it clear the P.A. or ANRP can order drugs for hospitalized patients or those in a nursing home.

Jeenu Philip and Jeff Mesaros both liked the language around the Naloxone piece. Dr. Fallon stated the Florida Pharmacy Association was supporting this Bill.

Motion: by Dr. Fallon, to support HB 1241. Motion carried.

SB 676 - Access to Health Care Services and HB 423 – Drug Prescription by Advanced Registered Nurse Practitioners & Physician Assistants

Ms. Dudley stated SB 676 - Access to Health Care Services and HB 423 – Drug Prescription by Advanced Registered Nurse Practitioners & Physician Assistants was placed on this agenda for information purposes. Ms. Dudley said to be aware that if these go through, for dispensing purposes it would allow a PA and ARNP to prescribe controlled substances even for chronic nonmalignant pain. Ms. Dudley then stated if SB 676 passed it would have the Board of Nursing create a committee to establish a formulary of controlled substances that an ARNP should not prescribe or prescribe for limited purposes. Part of that committee would require a Board of Pharmacy to submit a doctor of pharmacy to participate on that committee, but it would not have to be a board member.

#### E. HB 941 – Department of Health

Ms. Dudley stated there have been a lot of amendments to this Bill. The first amendment relates to Naloxone. Compared to HB 1241 these are more specific requirements for Naloxone dispensing. The bill would allow pharmacists to dispense Naloxone pursuant to a standing order. The standing order would be good for 48 months. The bill would require dispensing practitioners to provide educational materials to the patient or the care giver. It would require the Board to develop training program for dispensing Naloxone that would be part of the 30 hour continuing education program. Ms. Dudley stated this morning an amendment was filed that would eliminate the continuing education requirement.

There is a provision for partner therapy, which allows a pharmacist to dispense medication to a person with a sexually transmitted disease for treatment of the person's partner. The provision would require the pharmacist to check for possible allergic reactions in accordance with standards of care.

Ms. Dudley stated the bill also contains an exemption in the Pharmacy Practice Act for manufacturers permitted under 499 that are engaged solely in manufacturing of renal dialysis drugs used in the home for companies to ship directly to patients or facilities based on the physician's order. Ms. Dudley also said there is an amendment to 465.0275, relating to emergency prescription refill. This would allow the pharmacist to dispense an emergency prescription refill for 1 vial of insulin.

Jeenu Philip had a concern with the Naloxone language surrounding the 48 month restriction. He would oppose the bill. Ms. Dudley stated we could remain neutral or rather than opposing the entire bill just oppose the provisions that are concerning.

Jeenu Philip had concerns with the language surrounding the allergic reactions with regard to the partner therapy and the section about the remunerations by dispensing pharmacists for Naloxone. He believed those two pieces were restrictive.

Motion: by Jeenu Philip, to oppose the restrictive language surrounding the Naloxone wording and the section regarding the allergic reaction of the partner due to concerns that a pharmacist may not have full profile and may be some privacy concerns. Motion carried.

Motion: by Dr. Fallon, to ADJOURN at 12:52 p.m. Motion carried.