



Draft Meeting Minutes

Florida Board of Pharmacy Legislative Conference Call

March 1, 2019

10:00 a.m.

Teleconference Call

1-888-585-9008

Public Number: 744469610

Board Members:

Jeffrey J. Mesaros, PharmD, JD, Chair
Richard Montgomery, BPharm, MBA, Vice-Chair
Jeenu Philip, Bpharm,
David Wright, BPharm
David Bisailon, Consumer Member
Jonathan Hickman, PharmD
Mark Mikhael, PharmD
Gavin Meshad, Consumer Member
Blanca R. Rivera, MPharm, MBA

Board Counsel:

David Flynn, Senior Assistant Attorney General
Timothy Frizzell, Assistant Attorney General

Board Staff:

Jennifer Wenhold, MSW, Acting Executive Director
Amber Greene, Program Operations Admin.

Courteporter:

Tallahassee Court Reporting – (850)222-5491

Note: Participants in this public meeting should be aware that these proceedings are being recorded.

Call to Order - The meeting was called to order by Vice-Chair, Richard Montgomery at 10:00 a.m.

Roll Call - Those present during the meeting included the following:

Richard Montgomery, BPharm, MBA, Vice-Chair
Jeenu Philip, Bpharm,
David Wright, BPharm
David Bisailon, Consumer Member
Jonathan Hickman, PharmD
Gavin Meshad, Consumer Member
Blanca R. Rivera, MPharm, MBA

Absent Members:

Jeffrey J. Mesaros, PharmD, JD, Chair
Mark Mikhael, PharmD

1. 2019 Legislative Bills

a. HB 287 / SB 488 - Drug Safety

Requiring the addition of a warning sticker to specified opioids and requiring pharmacies to offer for sale prescription lock boxes at each store location and provides that the Department of Health may develop a written educational pamphlet relating to consumers regarding controlled substances. The effective date of this bill is January 1, 2020.

b. HB 111 / SB 300 - Testing for and Treatment of Influenza & Streptococcus

This bill amends subsection 465.003(13), F.S., changing the definition of the "practice of the profession of pharmacy," and creates section 465.1895, F.S., allowing a pharmacist to treat influenza and streptococcus within the framework of an established written protocol with a supervising physician who is licensed under chapter 458 or chapter 459, F.S. This bill is effective upon becoming law.

c. HB 271 /SB 906 - Prescribed Drug Services and Audits

This bill creates s. 465.1871, F.S., which prohibits attorneys from engaging in misleading advertisement related to medicinal drugs and amends the rights for pharmacies during an audit by a managed care company, an insurance company, a third-party payor, a pharmacy benefit manager, or an entity that represents responsible parties.

d. HB 59 / SB 104 - Prescription Drug Donation Repository Program

This Bill creates Prescription Drug Donation Repository Program within Department of Health; provides criteria & conditions for donation of prescription drugs & supplies from certain authorized entities for dispensing to eligible patients; authorizes Department of Health to establish direct-support organization; authorizes Governor to waive program patient eligibility requirements during declared state of emergency.

e. HB 491/SB 1280 - Controlled Substance Prescribing

The Bill excludes pain related to sickle-cell anemia from definition of acute pain for purposes of limitations on prescriptions of opioids for acute pain.

f. HB 383 / SB 448 - Advanced Birth Centers

This bill amends various sections of Chapter 383, F.S., and retitles these sections as the Birth Center and Advanced Birth Center Licensure Act. The bill amends the definitions of the terms “Institutional Pharmacy” and “Modified Class II Institutional Pharmacy” to include a reference to advanced birth centers.

g. SB 1026 – Fees/Advanced Birthing Centers –

This bill allows assessing licensure fees for Advanced Birthing Center’s.

h. HB 451 - Non-Opioid Directives

This bill requires Department of Health to establish voluntary non-opioid directive form & provides requirements for form; requires form be posted on Department of Health website; requires certain physicians document receipt of form in patient's medical record; authorizes patient to appoint duly authorized guardian or health care proxy who may revoke directive; requires certain physicians to provide copy of form to any patient to whom opioid drug may be prescribed, ordered, or administered; requires pharmacist to presume that electronically transmitted prescription for opioid drug is valid; authorizes pharmacist to dispense opioid drug in contradiction of directive; provides that certain persons are not liable for damages or subject to criminal prosecution; provides that certain persons may be subject to disciplinary action.

i. HB 687/SB 1170 – Automated Pharmacy Systems

This bill allows community pharmacies to use automated pharmacy systems under certain circumstances. The effective date of the bill is July 1, 2019.

j. SB 706/HB 865 - Institutional Pharmacies

This bill allows an institutional formulary system to be used in a Class I institutional pharmacy. It also requires specific policies and procedures for Class I institutional pharmacies that use the institutional formulary system. The effective date of the bill is July 1, 2019.

k. HB 831/SB 1192 - Electronic Prescribing

This bill requires all prescriptions be electronically generated and transmitted. It provides for an effective date of July 1, 2020.

For SB 1192 ONLY:

This bill requires, upon renewal of a health care practitioner's license renewal or by July 1, 2021, whichever is earlier, all prescriptions be electronically generated and transmitted.

l. SB1050/HB 833 – Pharmacy

This bill revises requirements and responsibilities for being licensed as a consultant pharmacist, including the use of collaborative agreements. The bill provides for an effective date of July 1, 2019.

m. SB 1124/HB 1115 – Dispensing Medicinal

This bill authorizing individuals licensed to prescribe medicinal drugs to dispense a 48-hour supply, rather than a 24-hour supply, of such drugs to any patient, including a discharged patient, under certain circumstances, etc.

n. HB 815 – Practice of Pharmacy

This bill called for analysis even though it was withdrawn: This bill changes the definition of the practice of pharmacy and creates s. 465.1895, F.S., and s. 465.1865, F.S., allowing a pharmacist to test for and treat minor, nonchronic health conditions using collaborative pharmacy practice agreements. The bill provides for an effective date of July 1, 2019.

o. HB 19/SB 1452 – Prescription Drug Importation Programs

This bill creates the Canadian Prescription Drug Importation Program, under the Agency for Health Care Administration, and the International Prescription Drug Importation Program, under the Department of Business and Professional Regulation. It requires the Board of Pharmacy to create a new permit level for an international export pharmacy.

The Florida Board of Pharmacy will continue to track and monitor House and Senate bills that relate to the Pharmacy profession.

The meeting adjourned at 11:05 a.m.