

Senate Bill No. 604

An act relating to pharmacy; amending s. 465.003, F.S.; defining the term “centralized prescription filling”; creating s. 465.0265, F.S.; authorizing centralized prescription filling by one pharmacy for another pharmacy and providing requirements therefor; providing that “wholesale distribution” of prescription drugs does not include certain acts of centralized prescription filling; requiring maintenance of a policy and procedures manual, subject to inspection by the Board of Pharmacy or its agent upon request, and providing requirements therefor; requiring the board to adopt rules to implement the section; providing an effective date.

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

Section 1. Subsection (16) is added to section 465.003, Florida Statutes, to read:

465.003 Definitions.—As used in this chapter, the term:

(16) “Centralized prescription filling” means the filling of a prescription by one pharmacy upon request by another pharmacy to fill or refill the prescription. The term includes the performance by one pharmacy for another pharmacy of other pharmacy duties such as drug utilization review, therapeutic drug utilization review, claims adjudication, and the obtaining of refill authorizations.

Section 2. Section 465.0265, Florida Statutes, is created to read:

465.0265 Centralized prescription filling.—

(1) A pharmacy licensed under this chapter may perform centralized prescription filling for another pharmacy, provided that the pharmacies have the same owner or have a written contract specifying the services to be provided by each pharmacy, the responsibilities of each pharmacy, and the manner in which the pharmacies will comply with federal and state laws, rules, and regulations.

(2) Each pharmacy performing or contracting for the performance of centralized prescription filling pursuant to this section must maintain a policy and procedures manual, which shall be made available to the board or its agent upon request. The policy and procedures manual shall include the following information:

(a) A description of how each pharmacy will comply with federal and state laws, rules, and regulations.

(b) The procedure for maintaining appropriate records to identify the pharmacist responsible for dispensing the prescription and counseling the patient.

(c) The procedure for tracking the prescription during each stage of the filling and dispensing process.

(d) The procedure for identifying on the prescription label all pharmacies involved in filling and dispensing the prescription.

(e) The policy and procedure for providing adequate security to protect the confidentiality and integrity of patient information.

(f) The procedure to be used by the pharmacy in implementing and operating a quality assurance program designed to objectively and systematically monitor, evaluate, and improve the quality and appropriateness of patient care.

(3) The filling, delivery, and return of a prescription by one pharmacy for another pursuant to this section shall not be construed as the filling of a transferred prescription as set forth in s. 465.026 or as a wholesale distribution as set forth in s. 499.012(1)(a).

(4) The board shall adopt rules pursuant to ss. 120.536(1) and 120.54 necessary to implement this section.

Section 3. This act shall take effect July 1, 2002.

Approved by the Governor April 25, 2002.

Filed in Office Secretary of State April 25, 2002.