

House Bill No. 207

An act relating to pharmacy; amending s. 465.017, F.S.; requiring the Board of Pharmacy to adopt rules establishing guidelines for pharmacies to dispose of patient records; providing an effective date.

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

Section 1. Subsection (2) of section 465.017, Florida Statutes, is amended to read:

465.017 Authority to inspect; disposal.—

(2)(a) Except as permitted by this chapter, and chapters 406, 409, 456, 499, and 893, records maintained in a pharmacy relating to the filling of prescriptions and the dispensing of medicinal drugs shall not be furnished to any person other than to the patient for whom the drugs were dispensed, or her or his legal representative, or to the department pursuant to existing law, or, in the event that the patient is incapacitated or unable to request said records, her or his spouse except upon the written authorization of such patient. Such records may be furnished in any civil or criminal proceeding, upon the issuance of a subpoena from a court of competent jurisdiction and proper notice to the patient or her or his legal representative by the party seeking such records.

(b) The board shall adopt rules to establish practice guidelines for pharmacies to dispose of records maintained in a pharmacy relating to the filling of prescriptions and the dispensing of medicinal drugs. Such rules shall be consistent with the duty to preserve the confidentiality of such records in accordance with applicable state and federal law.

Section 2. This act shall take effect July 1, 2003.

Approved by the Governor June 20, 2003.

Filed in Office Secretary of State June 20, 2003.