A bill to be entitled
An act relating to automated pharmacy systems;
amending s. 465.0235, F.S.; authorizing a community
pharmacy to use an automated pharmacy system under
certain circumstances; providing that certain
medicinal drugs stored in such system for outpatient
dispensing are part of the inventory of the pharmacy
providing services through such system; requiring the
Board of Pharmacy to adopt rules; providing an
effective date.

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

Section 1. Section 465.0235, Florida Statutes, is amended
to read:

465.0235 Automated pharmacy systems used by long-term care
facilities, hospices, or state correctional institutions, or for
outpatient dispensing.—

(1) A pharmacy may provide pharmacy services to a long-
term care facility or hospice licensed under chapter 400 or
chapter 429 or a state correctional institution operated under
chapter 944 through the use of an automated pharmacy system that
need not be located at the same location as the pharmacy.

(2) A community pharmacy, as defined in s. 465.003 and
licensed in this state, may provide pharmacy services for
outpatient dispensing through the use of an automated pharmacy
system that need not be located at the same location as the
community pharmacy if:

(a) The automated pharmacy system is under the supervision
and control of the community pharmacy.

(b) The community pharmacy providing services through the
automated pharmacy system notifies the board of the location of
the automated pharmacy system and any changes in such location.

(c) The automated pharmacy system is under the supervision
and control of a pharmacist, as defined in s. 465.003 and
licensed in this state, who is available and accessible for
patient counseling before the dispensing of any medicinal drug.

(d) The automated pharmacy system does not contain or
dispense any controlled substance listed in s. 893.03 or 21
U.S.C. s. 812.

(e) The community pharmacy maintains a record of the
medicinal drugs dispensed, including the identity of the
pharmacist responsible for verifying the accuracy of the dosage
and directions and providing patient counseling.

(f) The automated pharmacy system ensures the
confidentiality of personal health information.

(3)(2) Medicinal drugs stored in bulk or unit of use in an
automated pharmacy system servicing a long-term care facility,
hospice, or correctional institution, or for outpatient
dispensing, are part of the inventory of the pharmacy providing
pharmacy services to that facility, hospice, or institution, or for outpatient dispensing, and medicinal drugs delivered by the automated pharmacy system are considered to have been dispensed by that pharmacy.

(4) The operation of an automated pharmacy system must be under the supervision of a Florida-licensed pharmacist licensed in this state. To qualify as a supervisor for an automated pharmacy system, the pharmacist need not be physically present at the site of the automated pharmacy system and may supervise the system electronically. The Florida-licensed pharmacist shall be required to develop and implement policies and procedures designed to verify that the medicinal drugs delivered by the automated pharmacy dispensing system are accurate and valid and that the machine is properly restocked.

(5) The Legislature does not intend for this section to limit the current practice of pharmacy in this state. This section is intended to allow automated pharmacy systems to enhance the ability of a pharmacist to provide pharmacy services in locations that do not employ a full-time pharmacist. This section does not limit or replace the use of a consultant pharmacist.

(6) The board shall adopt rules governing the use of an automated pharmacy system by January 1, 2005, which must include:

(a) Recordkeeping requirements.
(b) Security requirements.

(c) Labeling requirements that permit the use of unit-dose medications if the facility, hospice, or institution maintains medication-administration records that include directions for use of the medication and the automated pharmacy system identifies:

1. The dispensing pharmacy.
2. The prescription number.
3. The name of the patient.
4. The name of the prescribing practitioner.

Section 2. This act shall take effect July 1, 2020.