

**BOARD OF PHARMACY  
RULES COMMITTEE  
June 2, 2020  
1:00 P.M. ET  
Call In Number: (888) 585-9008  
Conference Code: 599-196-982(#)**

Participants in this public meeting should be aware that these proceedings are being recorded  
and that an audio file of the meeting will be posted to the board's website.

**I. CALL TO ORDER/ROLL CALL**

**MEMBERS PRESENT**

Jeffrey Mesaros, PharmD, JD, Chair  
Jeenu Philip, BPharm,  
Jonathan Hickman, PharmD  
Mark Mikhael, PharmD  
David Wright, BPharm

**STAFF PRESENT**

Jessica Sapp, Executive Director  
Traci Zeh, Program Administrator

**BOARD COUNSEL**

David Flynn, Esq.  
Senior Assistant Attorney General  
Christopher Dierlam, Esq.  
Assistant Attorney General

**II. RULES DISCUSSION**

- a. Legislative Review
  - i. HB 389 Practice of Pharmacy

**III. ADJOURNMENT**

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2020 Legislature

1  
2 An act relating to the practice of pharmacy; amending  
3 s. 381.0031, F.S.; requiring specified licensed  
4 pharmacists to report certain information relating to  
5 public health to the Department of Health; amending s.  
6 465.003, F.S.; revising the definition of the term  
7 "practice of the profession of pharmacy"; creating s.  
8 465.1865, F.S.; providing definitions; providing  
9 requirements for pharmacists to provide services under  
10 a collaborative pharmacy practice agreement; requiring  
11 the terms and conditions of such agreement to be  
12 appropriate to the training of the pharmacist and the  
13 scope of practice of the physician; requiring  
14 notification to the board upon practicing under a  
15 collaborative pharmacy practice agreement; requiring  
16 pharmacists to submit a copy of the signed  
17 collaborative pharmacy practice agreement to the Board  
18 of Pharmacy; providing for the maintenance of patient  
19 records for a certain period of time; providing for  
20 renewal of such agreement; requiring a pharmacist and  
21 the collaborating physician to maintain on file and  
22 make available the collaborative pharmacy practice  
23 agreement; prohibiting certain actions relating to  
24 such agreement; requiring specified continuing  
25 education for a pharmacist who practices under a

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26 collaborative pharmacy practice agreement; requiring  
 27 the Board of Pharmacy to adopt rules in consultation  
 28 with the Board of Medicine and the Board of  
 29 Osteopathic Medicine; creating s. 465.1895, F.S.;  
 30 requiring the Board of Pharmacy to identify minor,  
 31 nonchronic health conditions that a pharmacist may  
 32 test or screen for and treat; providing requirements  
 33 for a pharmacist to test or screen for and treat  
 34 minor, nonchronic health conditions; requiring the  
 35 board to develop a formulary of medicinal drugs that a  
 36 pharmacist may prescribe; providing requirements for  
 37 the written protocol between a pharmacist and a  
 38 supervising physician; prohibiting a pharmacist from  
 39 providing certain services under certain  
 40 circumstances; requiring a pharmacist to complete a  
 41 specified amount of continuing education; providing  
 42 additional requirements for pharmacists and pharmacies  
 43 providing testing and screening services; providing  
 44 for applicability; providing an effective date.

45

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

47

48 Section 1. Subsection (2) of section 381.0031, Florida  
 49 Statutes, is amended to read:

50 381.0031 Epidemiological research; report of diseases of

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2020 Legislature

51 public health significance to department.—

52 (2) Any practitioner licensed in this state to practice  
 53 medicine, osteopathic medicine, chiropractic medicine,  
 54 naturopathy, or veterinary medicine; any licensed pharmacist  
 55 authorized under a protocol with a supervising physician under  
 56 s. 465.1895, or a collaborative pharmacy practice agreement, as  
 57 defined in s. 465.1865, to perform or order and evaluate  
 58 laboratory and clinical tests; any hospital licensed under part  
 59 I of chapter 395; or any laboratory appropriately certified by  
 60 the Centers for Medicare and Medicaid Services under the federal  
 61 Clinical Laboratory Improvement Amendments and the federal rules  
 62 adopted thereunder which diagnoses or suspects the existence of  
 63 a disease of public health significance shall immediately report  
 64 the fact to the Department of Health.

65 Section 2. Subsection (13) of section 465.003, Florida  
 66 Statutes, is amended to read:

67 465.003 Definitions.—As used in this chapter, the term:

68 (13) "Practice of the profession of pharmacy" includes  
 69 compounding, dispensing, and consulting concerning contents,  
 70 therapeutic values, and uses of any medicinal drug; consulting  
 71 concerning therapeutic values and interactions of patent or  
 72 proprietary preparations, whether pursuant to prescriptions or  
 73 in the absence and entirely independent of such prescriptions or  
 74 orders; and conducting other pharmaceutical services. For  
 75 purposes of this subsection, "other pharmaceutical services"

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76 | means the monitoring of the patient's drug therapy and assisting  
 77 | the patient in the management of his or her drug therapy, and  
 78 | includes review of the patient's drug therapy and communication  
 79 | with the patient's prescribing health care provider as licensed  
 80 | under chapter 458, chapter 459, chapter 461, or chapter 466, or  
 81 | similar statutory provision in another jurisdiction, or such  
 82 | provider's agent or such other persons as specifically  
 83 | authorized by the patient, regarding the drug therapy; and  
 84 | initiating, modifying, or discontinuing drug therapy for a  
 85 | chronic health condition under a collaborative pharmacy practice  
 86 | agreement. ~~However,~~ Nothing in this subsection may be  
 87 | interpreted to permit an alteration of a prescriber's  
 88 | directions, the diagnosis or treatment of any disease, the  
 89 | initiation of any drug therapy, the practice of medicine, or the  
 90 | practice of osteopathic medicine, unless otherwise permitted by  
 91 | law or specifically authorized by s. 465.1865 or s. 465.1895.  
 92 | "Practice of the profession of pharmacy" also includes any other  
 93 | act, service, operation, research, or transaction incidental to,  
 94 | or forming a part of, any of the foregoing acts, requiring,  
 95 | involving, or employing the science or art of any branch of the  
 96 | pharmaceutical profession, study, or training, and shall  
 97 | expressly permit a pharmacist to transmit information from  
 98 | persons authorized to prescribe medicinal drugs to their  
 99 | patients. The practice of the profession of pharmacy also  
 100 | includes the administration of vaccines to adults pursuant to s.

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101 465.189, the testing or screening for and treatment of minor,  
 102 nonchronic health conditions pursuant to s. 465.1895, and the  
 103 preparation of prepackaged drug products in facilities holding  
 104 Class III institutional pharmacy permits.

105 Section 3. Section 465.1865, Florida Statutes, is created  
 106 to read:

107 465.1865 Collaborative pharmacy practice for chronic  
 108 health conditions.-

109 (1) For purposes of this section, the term:

110 (a) "Collaborative pharmacy practice agreement" means a  
 111 written agreement between a pharmacist who meets the  
 112 qualifications of this section and a physician licensed under  
 113 chapter 458 or chapter 459 in which a collaborating physician  
 114 authorizes a pharmacist to provide specified patient care  
 115 services to the collaborating physician's patients.

116 (b) "Chronic health condition" means:

117 1. Arthritis;

118 2. Asthma;

119 3. Chronic obstructive pulmonary diseases;

120 4. Type 2 diabetes;

121 5. Human immunodeficiency virus or acquired immune  
 122 deficiency syndrome;

123 6. Obesity; or

124 7. Any other chronic condition adopted in rule by the  
 125 board, in consultation with the Board of Medicine and Board of

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126 Osteopathic Medicine.

127 (2) To provide services under a collaborative pharmacy  
 128 practice agreement, a pharmacist must be certified by the board,  
 129 according to the rules adopted by the board in consultation with  
 130 the Board of Medicine and the Board of Osteopathic Medicine. To  
 131 be certified, a pharmacist must, at a minimum:

132 (a) Hold an active and unencumbered license to practice  
 133 pharmacy in this state.

134 (b) Have earned a degree of doctor of pharmacy or have  
 135 completed 5 years of experience as a licensed pharmacist.

136 (c) Have completed an initial 20-hour course approved by  
 137 the board, in consultation with the Board of Medicine and Board  
 138 of Osteopathic Medicine, that includes, at a minimum,  
 139 instruction on the following:

140 1. Performance of patient assessments.

141 2. Ordering, performing, and interpreting clinical and  
 142 laboratory tests related to collaborative pharmacy practice.

143 3. Evaluating and managing diseases and health conditions  
 144 in collaboration with other health care practitioners.

145 4. Any other area required by board.

146 (d) Maintain at least \$250,000 of professional liability  
 147 insurance coverage. However, a pharmacist who maintains  
 148 professional liability insurance coverage pursuant to s.  
 149 465.1895 satisfies this requirement.

150 (e) Have established a system to maintain records of all

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151 patients receiving services under a collaborative pharmacy  
152 practice agreement for a period of 5 years from each patient's  
153 most recent provision of service.

154 (3) The terms and conditions of the collaborative pharmacy  
155 practice agreement must be appropriate to the pharmacist's  
156 training and the services delegated to the pharmacist must be  
157 within the collaborating physician's scope of practice. A copy  
158 of the certification issued under subsection (2) must be  
159 included as an attachment to the collaborative pharmacy practice  
160 agreement.

161 (a) A collaborative pharmacy practice agreement must  
162 include the following:

163 1. Name of the collaborating physician's patient or  
164 patients for whom a pharmacist may provide services.

165 2. Each chronic health condition to be collaboratively  
166 managed.

167 3. Specific medicinal drug or drugs to be managed by the  
168 pharmacist for each patient.

169 4. Circumstances under which the pharmacist may order or  
170 perform and evaluate laboratory or clinical tests.

171 5. Conditions and events upon which the pharmacist must  
172 notify the collaborating physician and the manner and timeframe  
173 in which such notification must occur.

174 6. Beginning and ending dates for the collaborative  
175 pharmacy practice agreement and termination procedures,

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176 including procedures for patient notification and medical  
 177 records transfers.

178 7. A statement that the collaborative pharmacy practice  
 179 agreement may be terminated, in writing, by either party at any  
 180 time.

181 (b) A collaborative pharmacy practice agreement shall  
 182 automatically terminate 2 years after execution if not renewed.

183 (c) The pharmacist, along with the collaborating  
 184 physician, must maintain on file the collaborative pharmacy  
 185 practice agreement at his or her practice location, and must  
 186 make such agreements available to the department or board upon  
 187 request or inspection.

188 (d) A pharmacist who enters into a collaborative pharmacy  
 189 practice agreement must submit a copy of the signed agreement to  
 190 the board before the agreement may be implemented.

191 (4) A pharmacist may not:

192 (a) Modify or discontinue medicinal drugs prescribed by a  
 193 health care practitioner with whom he or she does not have a  
 194 collaborative pharmacy practice agreement.

195 (b) Enter into a collaborative pharmacy practice agreement  
 196 while acting as an employee without the written approval of the  
 197 owner of the pharmacy.

198 (5) A physician may not delegate the authority to initiate  
 199 or prescribe a controlled substance as described in s. 893.03 or  
 200 21 U.S.C. s. 812 to a pharmacist.

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201       (6) A pharmacist who practices under a collaborative  
 202 pharmacy practice agreement must complete an 8-hour continuing  
 203 education course approved by the board that addresses issues  
 204 related to collaborative pharmacy practice each biennial  
 205 licensure renewal in addition to the continuing education  
 206 requirements under s. 465.009. A pharmacist must submit  
 207 confirmation of having completed such course when applying for  
 208 licensure renewal. A pharmacist who fails to comply with this  
 209 subsection shall be prohibited from practicing under a  
 210 collaborative pharmacy practice agreement under this section.

211       (7) The board, in consultation with the Board of Medicine  
 212 and the Board of Osteopathic Medicine, shall adopt rules  
 213 pursuant to ss. 120.536(1) and 120.54 to implement this section.

214       Section 4. Section 465.1895, Florida Statutes, is created  
 215 to read:

216       465.1895 Testing or screening for and treatment of minor,  
 217 nonchronic health conditions.—

218       (1) A pharmacist may test or screen for and treat minor,  
 219 nonchronic health conditions within the framework of an  
 220 established written protocol with a supervising physician  
 221 licensed under chapter 458 or chapter 459. For purposes of this  
 222 section, a minor, nonchronic health condition is typically a  
 223 short-term condition that is generally managed with minimal  
 224 treatment or self-care, and includes:

225       (a) Influenza.

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226        (b) Streptococcus.

227        (c) Lice.

228        (d) Skin conditions, such as ringworm and athlete's foot.

229        (e) Minor, uncomplicated infections.

230        (2) A pharmacist who tests or screens for and treats  
 231 minor, nonchronic health conditions under this section must:

232        (a) Hold an active and unencumbered license to practice  
 233 pharmacy in the state.

234        (b) Hold a certification issued by the board to test and  
 235 screen for and treat minor, nonchronic health conditions, in  
 236 accordance with requirements established by the board in rule in  
 237 consultation with the Board of Medicine and Board of Osteopathic  
 238 Medicine. The certification must require a pharmacist to  
 239 complete, on a one-time basis, a 20-hour education course  
 240 approved by the board in consultation with the Board of Medicine  
 241 and the Board of Osteopathic Medicine. The course, at a minimum,  
 242 must address patient assessments; point-of-care testing  
 243 procedures; safe and effective treatment of minor, nonchronic  
 244 health conditions; and identification of contraindications.

245        (c) Maintain at least \$250,000 of liability coverage. A  
 246 pharmacist who maintains liability coverage pursuant to s.  
 247 465.1865 satisfies this requirement.

248        (d) Report a diagnosis or suspected existence of a disease  
 249 of public health significance to the department pursuant to s.  
 250 381.0031.

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251 (e) Upon request of a patient, furnish patient records to  
 252 a health care practitioner designated by the patient.

253 (f) Maintain records of all patients receiving services  
 254 under this section for a period of 5 years from each patient's  
 255 most recent provision of service.

256 (3) The board shall adopt, by rule, a formulary of  
 257 medicinal drugs that a pharmacist may prescribe for the minor,  
 258 nonchronic health conditions approved under subsection (1). The  
 259 formulary must include medicinal drugs approved by the United  
 260 States Food and Drug Administration which are indicated for  
 261 treatment of the minor, nonchronic health condition. The  
 262 formulary may not include any controlled substance as described  
 263 in s. 893.03 or 21 U.S.C. s. 812.

264 (4) A pharmacist who tests or screens for and treats  
 265 minor, nonchronic health conditions under this section may use  
 266 any tests that may guide diagnosis or clinical decisionmaking  
 267 which the Centers for Medicare and Medicaid Services has  
 268 determined qualifies for a waiver under the federal Clinical  
 269 Laboratory Improvement Amendments of 1988, or the federal rules  
 270 adopted thereunder, or any established screening procedures that  
 271 can safely be performed by a pharmacist.

272 (5) The written protocol between a pharmacist and  
 273 supervising physician under this subsection must include  
 274 particular terms and conditions imposed by the supervising  
 275 physician relating to the testing and screening for and

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276 treatment of minor, nonchronic health conditions under this  
277 section. The terms and conditions must be appropriate to the  
278 pharmacist's training. A pharmacist who enters into such a  
279 protocol with a supervising physician must submit the protocol  
280 to the board.

281 (a) At a minimum, the protocol shall include:

282 1. Specific categories of patients who the pharmacist is  
283 authorized to test or screen for and treat minor, nonchronic  
284 health conditions.

285 2. The physician's instructions for obtaining relevant  
286 patient medical history for the purpose of identifying  
287 disqualifying health conditions, adverse reactions, and  
288 contraindications to the approved course of treatment.

289 3. The physician's instructions for the treatment of  
290 minor, nonchronic health conditions based on the patient's age,  
291 symptoms, and test results, including negative results.

292 4. A process and schedule for the physician to review the  
293 pharmacist's actions under the protocol.

294 5. A process and schedule for the pharmacist to notify the  
295 physician of the patient's condition, tests administered, test  
296 results, and course of treatment.

297 6. Any other requirements as established by the board in  
298 consultation with the Board of Medicine and the Board of  
299 Osteopathic Medicine.

300 (b) A pharmacist authorized to test and screen for and

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301 treat minor, nonchronic conditions under a protocol shall  
302 provide evidence of current certification by the board to the  
303 supervising physician. A supervising physician shall review the  
304 pharmacist's actions in accordance with the protocol.

305 (6) A pharmacist providing services under this section may  
306 not perform such services while acting as an employee without  
307 the written approval of the owner of the pharmacy.

308 (7) A pharmacist providing services under this section  
309 must complete a 3-hour continuing education course approved by  
310 the board addressing issues related to minor, nonchronic health  
311 conditions each biennial licensure renewal in addition to the  
312 continuing education requirements under s. 465.009. Each  
313 pharmacist must submit confirmation of having completed the  
314 course when applying for licensure renewal. A pharmacist who  
315 fails to comply with this subsection may not provide testing,  
316 screening, or treatment services.

317 (8) A pharmacist providing services under this section  
318 must provide a patient with written information to advise the  
319 patient to seek followup care from his or her primary care  
320 physician. The board, by rule, shall adopt guidelines for the  
321 circumstances under which the information required under this  
322 subsection shall be provided.

323 (9) The pharmacy in which a pharmacist tests and screens  
324 for and treats minor, nonchronic health conditions must  
325 prominently display signage indicating that any patient

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326 receiving testing, screening, or treatment services under this  
 327 section is advised to seek followup care from his or her primary  
 328 care physician.

329 (10) A pharmacist providing services under this section  
 330 must comply with applicable state and federal laws and  
 331 regulations.

332 (11) The requirements of the section do not apply with  
 333 respect to minor, nonchronic health conditions when treated with  
 334 over-the-counter products.

335 Section 5. This act shall take effect July 1, 2020.  
 336

Board of Pharmacy  
Implementation Working Draft for Ch. 2020-7, Laws of Fla.<sup>1</sup> (CS HB  
No. 389<sup>2</sup>) (Eff. July 1, 2020).

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**CHAPTER 64B16-31**  
**COLLABORATIVE PRACTICE AND TEST AND TREAT CERTIFICATIONS**

64B16-31.001	Collaborative Practice Certification (CPC)
64B16-31.003	Collaborative Practice Certification: Initial Certification Course
64B16-31.005	Collaborative Practice Certification: Collaborative Pharmacy Practice Agreement Submission
64B16-31.007	Collaborative Practice Certification: Chronic Health Condition
64B16-31.009	Collaborative Practice Certification: Mandatory Continuing Education
64B16-31.033	Test and Treat Certification (TTC)
64B16-31.035	Test and Treat Certification: Initial Certification Course
64B16-31.037	Test and Treat Certification:
64B16-31.039	Test and Treat Certification:
64B16-31.050	Mandatory Review of Rule Chapter 64B16-31, F.A.C.

**Version:** Draft Outline for June 2020 Rules Committee and Full Board General Business Meeting.  
Produced by David D. Flynn, Senior Assistant Attorney General and Christopher R. Dierlam, Assistant

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<sup>1</sup> Please See Appendix A for a Copy of Chapter 2020-7, *Laws of Florida*.

<sup>2</sup> Please See Appendix B for a Copy of Committee Substitute for House Bill No. 389.

Attorney General in consultation with Jessica L. Sapp, Executive Director and Traci L. Zeh, Program Operations Administrator.

### **64B16-31.001 Collaborative Practice Certification (CPC).**

Applicants for CPC shall submit an application using Form DH-MQA XXXX (eff. 0X/20), “Application for Pharmacist Collaborative Practice Certification<sup>3</sup>” that is hereby incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-07519> or <http://floridapharmacy.gov>. Applicants for certification must meet and comply with all requirements in Section 465.1865, F.S.

*Rulemaking Authority 465.1865, FS. Law Implemented 465.1865, FS. History – New XX-XX-20.*

### **64B16-31.003 Collaborative Practice Certification: Initial Certification Course.**

(1) Applicants for Initial Certification Course approval shall submit an application using Form DH-MQA XXX (eff. XX/20) “Application for Initial Collaborative Practice Certification Course<sup>4</sup>” that is hereby incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-07519> or <http://floridapharmacy.gov>.

(2) Initial collaborative practice certification courses shall be a minimum of 20 hours in duration, and shall meet all the following mandatory requirements:

(a) The course may only be offered by the following providers:

1. A state or national program provider who is accredited by the Accreditation Council for Pharmacy Education (ACPE) and any state or national program provider who is accredited to provide educational activities designated for the American Medical Association Physician’s Recognition Category 1 credit or the American Osteopathic Association Category 1-A continuing medical education credit; or

2. Place holder for discussion with Board to determine appropriate list of additional providers in consultation with BOM and BOOM.

<sup>3</sup> Please See Appendix C for a Copy of the Application.

<sup>4</sup> Please See Appendix D for a Copy of the Application.

(b) The course content shall include all those areas enumerated in section 465.1865 (2)(c), F.S., and shall also meet the following requirements:

1. One hour shall be dedicated to covering the laws and rules applicable to the collaborative practice for the treatment of chronic health care conditions;

2. Place holder for discussion with Board to determine appropriate content list in consultation with BOM and BOOM.

(c) The course shall be offered through a live seminar, a live video teleconference, or through an interactive computer-based application.

Place holder for discussion with Board to determine appropriate format of specific hour requirements with BOM and BOOM.

(3) A pharmacist who successfully completes a board approved collaborative practice certification course shall be awarded 20 hours of continuing education credits towards the continuing education mandates of Rule 64B16-16.301, F.A.C.

*Rulemaking Authority 465.1865, FS. Law Implemented 465.1865, FS. History – New XX-XX-20.*

#### **64B16-31.005 Collaborative Practice Certification: Collaborative Pharmacy Practice Agreement Submission.**

(1) Prior to providing or implementing patient care services under a Collaborative Pharmacy Practice Agreement, the Pharmacist shall submit the executed Agreement to the Board Office through the pharmacist's online licensure account at <http://www.flhealthsource.gov> or via U.S. Mail to 4052 Bald Cypress Way, Bin C-04, Tallahassee, FL 32399.

(2) In the event of a modification to, or renewal of, an existing collaborative pharmacy practice agreement, the pharmacist shall submit the updated version of the agreement to the Board Office within 5 business days.

*Rulemaking Authority 465.1865, FS. Law Implemented 465.1865, FS. History – New XX-XX-20.*

#### **64B16-31.007 Collaborative Practice Certification: Chronic Health Conditions.**

Pursuant to Section 465.1865, F.S., the Board hereby adopts the following list of chronic health conditions for which a pharmacist certified pursuant to section 465.1865, F.S., can provide specified patient care services to patients of a

collaborating physician pursuant to a pending Collaborative Pharmacy Practice Agreement:

1) Those chronic health conditions enumerated in section 465.1865(1)(b), F.S.:

2) Place holder for discussion with Board to determine appropriate list of chronic health conditions in consultation with BOM and BOOM.

*Rulemaking Authority 465.1865, FS. Law Implemented 465.1865, FS. History – New XX-XX-20.*

### **64B16-31.009 Collaborative Practice Certification: Mandatory Continuing Education.**

A licensee shall not be required to complete the 8-hour continuing education related to collaborative pharmacy practice if the initial certificate was issued less than 12 months prior to the expiration date of the license.

*Rulemaking Authority 465.1865, FS. Law Implemented 465.1865, FS. History – New XX-XX-20.*

### **64B16-31.033 Test and Treat Certification (TTC)**

Applicants for TTC shall submit an application using Form DH-MQA XXXX (eff. 0X/20), “Application for Pharmacist Test and Treat Certification<sup>5</sup>” that is hereby incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-07519> or <http://floridapharmacy.gov>. Applicants for certification must meet and comply with all requirements in Section 465.1895, F.S.

### **64B16-31.035 Test and Treat Certification: Initial Certification Course**

(1) Applicants for Initial Certification Course approval shall submit an application using Form DH-MQA XXX (eff. XX/20) “Application for Initial Test and Treat Certification Course<sup>6</sup>” that is hereby incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-07519> or <http://floridapharmacy.gov>.

<sup>5</sup> Please See Appendix E for a Copy of the Application.

<sup>6</sup> Please See Appendix F for a Copy of the Application.

(2) Initial test and treat certification courses shall be a minimum of 20 hours in duration, and shall meet all the following mandatory requirements:

(a) The course may only be offered by the following providers:

1. A state or national program provider who is accredited by the Accreditation Council for Pharmacy Education (ACPE) and any state or national program provider who is accredited to provide educational activities designated for the American Medical Association Physician's Recognition Category 1 credit or the American Osteopathic Association Category 1-A continuing medical education credit; or

2. Place holder for discussion with Board to determine appropriate list of additional providers in consultation with BOM and BOOM.

(b) The course content shall include all those areas enumerated in section 465.1895 (2)(b), F.S., and shall also meet the following requirements:

1. One hour shall be dedicated to covering the laws and rules applicable to the testing or screening for and the treating of minor, nonchronic health conditions;

2. Place holder for discussion with Board to determine appropriate content list in consultation with BOM and BOOM.

(c) The course shall be offered through a live seminar, a live video teleconference, or through an interactive computer-based application.

(3) A pharmacist who successfully completes a board approved test and treat certification course shall be awarded 20 hours of continuing education credits towards the continuing education mandates of Rule 64B16-16.301, F.A.C.

**64B16-31.037 Test and Treat Certification: Written Protocol and Written Protocol Submission**

(1) Within 5 business days of entering into a written protocol with a supervising physician pursuant to section 465.1895, F.S., the pharmacist shall submit a copy of the written agreement to the Board Office through the pharmacist's online licensure account at <http://www.flhealthsource.gov> or via U.S. Mail to 4052 Bald Cypress Way, Bin C-04, Tallahassee, FL 32399.

(2) In the event of a modification to, or renewal of, an existing written protocol, the pharmacist shall submit the updated version of the agreement to the Board Office within 5 business days.

Place holder for discussion with Board to determine if it wants to provide additional requirements for the written protocol in consultation with BOOM and BOM pursuant to Section 465.1895(5)(a)6.

#### **64B16-31.039 Test and Treat Certification: Formulary of Medical Drugs**

(1) Pursuant to section 465.1895, F.S., the Board hereby incorporates all medicinal drugs approved by the United States Food and Drug Administration for the treatment of the minor, nonchronic health conditions outlined section 465.1895(1), F.S., as the formulary of medicinal drugs that a pharmacist may prescribe pursuant to a test and treat written protocol.

(2) A pharmacist may not prescribe the following prescription drugs for the treatment of minor, nonchronic health conditions pursuant to a test and treat written protocol:

(a) controlled substances as described in s. 893.03 or 21 U.S.C. s. 812;

(b) Place holder for discussion with Board regarding additional drugs that should be excluded.

#### **64B16-31.041 Test and Treat Certification: Patient Records**

(1) Upon receipt of a patient request, a pharmacist shall furnish patient records to a health care practitioner designated by the patient within a reasonable time frame, not to exceed 5 business days.

Place holder for discussion with Board regarding reasonable time frame for production of records.

#### **64B16-31.043 Test and Treat Certification: Follow-up Care**

Immediately prior to performing testing, screening, or treatment services on a patient for the first time, a pharmacist must provide written information to the patient advising the patient when to seek follow-up care from his or her primary care physician.

#### **64B16-31.050 Mandatory Review of Rule Chapter 64B16-31, F.A.C.**

(1) No later than 90 days prior to December 31, 2025, the Board shall review each rule in this Chapter and amend, modify or repeal any rule that creates barriers to entry for private business competition, is duplicative, outdated, obsolete, overly burdensome, or imposes excessive costs.

(2) In the event the Board fails to complete this review, the board, for any rule that has not been reviewed in accordance with subsection (1), shall begin the rule repeal process in accordance with the Administrative Procedures Act.

*Rulemaking Authority 465.1865, FS. Law Implemented 465.1865, FS. History – New XX-XX-20.*



Application  
*for*  
Pharmacist Collaborative Practice Certification

**Board of Pharmacy**  
P.O. Box 6330  
Tallahassee, FL 32314-6330  
Website: <https://floridaspharmacy.gov/>  
Email: [info@floridaspharmacy.gov](mailto:info@floridaspharmacy.gov)  
Phone: (850) 245-4474  
Fax: (850) 921-5389



# Application for Pharmacist Collaborative Practice Certification

Board of Pharmacy  
P.O. Box 6330  
Tallahassee, FL 32314-6330  
Fax: (850) 921-5389  
Email: info@floridaspharmacy.gov

All applicants must hold a current Florida Pharmacist license that is active and in good standing.

## Pharmacist Collaborative Practice Certification

Prior to providing services under a collaborative pharmacy practice agreement, a pharmacist must be certified by the board. Additionally, a pharmacist must enter into a written agreement with a physician licensed under Chapter 458 or Chapter 459, Florida Statutes, in which a collaborating physician authorizes a pharmacist to provide specified patient care services for chronic health conditions. Please refer to section 465.1865, Florida Statutes, prior to submitting your application.

### 1. PERSONAL INFORMATION

Name: \_\_\_\_\_ Date of Birth: \_\_\_\_\_  
Last/Surname First Middle MM/DD/YYYY

Mailing Address: (This address is where mail and your certification will be sent)

Street/P.O. Box Apt. No. City

State ZIP Country Home/Cell Telephone (Input without dashes)

Physical Location: (Required if mailing address is a P.O. Box – this address will be posted on the Department of Health’s website)

Street Apt. No. City

State ZIP Country Business Telephone (Input without dashes)

Email Notification: To be notified of the status of your application by email, check the “Yes” box and fill in your email address on the line provided. If you choose to be notified via email you will be responsible for checking your email regularly and updating your email address with the board office.

Yes  No Email Address: \_\_\_\_\_

Under Florida law, email addresses are public records. If you do not want your email address released in response to a public records request, do not provide an email address or send electronic mail to our office. Instead contact the office by phone or in writing.

Name: \_\_\_\_\_

**2. LICENSURE HISTORY**

A. What is your Florida Pharmacist (PS) license number? \_\_\_\_\_

**3. CERTIFICATION TRAINING**

To qualify for certification, an applicant must have completed an initial 20-hour certification course that meets the statutory and rule requirements of section 465.1865, Florida Statutes, and Rule 64B16-31.XXX, F.A.C.

B. Have you successfully completed an initial 20-hour course approved by the Florida Board of Pharmacy?  Yes  No  
**If yes**, provide a copy of the certificate of completion and the following information.

Provider Name	Provider Number	Date of Completion	Certificate Number

**4. APPLICANT BACKGROUND**

To qualify for certification, an applicant must have earned a degree of doctor of pharmacy or have completed 5 years of experience as a licensed pharmacist.

A. Have you earned a degree of doctor of pharmacy?  Yes  No

**If yes**, please list the name of university, college, or school of pharmacy you attended.

School Name	City/State or Country	Graduation Date	Degree Awarded

B. Have you completed 5 years of experience as a licensed pharmacist?  Yes  No

**If yes**, please list your experience below.

Employer	Location Address	Dates (From-To) MM/DD/YYYY

Name: \_\_\_\_\_

## 5. PROFESSIONAL LIABILITY INSURANCE

To provide services under a collaborative pharmacy practice agreement, a pharmacist must maintain at least \$250,000 of professional liability insurance coverage. A pharmacist who maintains professional liability insurance coverage as a requirement of the Test and Treat Certification, pursuant to section 465.1895, Florida Statutes, satisfies this requirement.

A. Do you maintain at least \$250,000 of professional liability insurance?  Yes  No

If "Yes," provide the following information:

Insurance Provider Name	Policy Number	Policy Expiration Date

## 6. SYSTEM TO MAINTAIN RECORDS

To provide services under a collaborative pharmacy practice agreement, a pharmacist must have established a system to maintain records of all patients receiving services under a collaborative pharmacy practice agreement for a period of 5 years from each patient's most recent provision of services, pursuant to section 465.1865, Florida Statutes.

A. Have you established a system to maintain records of all patients receiving services under a collaborative pharmacy practice agreement?  Yes  No

## 7. COLLABORATING PHYSICIAN

If available, provide the following information for the physician licensed under chapter 458 or 459, Florida Statutes, with whom you have entered into an agreement.

Physician Name: \_\_\_\_\_

Physician License #: \_\_\_\_\_

## COLLABORATIVE PHARMACY PRACTICE AGREEMENT INFORMATION

Section 465.1865(3), Florida Statutes, requires each collaborative pharmacy practice agreement include terms and conditions that are appropriate to the pharmacist's training and the services delegated to the pharmacist must be within the collaborating physician's scope of practice.

The collaborative practice agreement must include the following information:

1. Name of the collaborating physician's patient or patients for whom a pharmacist may provide services.
2. Each chronic health condition to be collaboratively managed.
3. Specific medicinal drug or drugs to be managed by the pharmacist for each patient.
4. Circumstances under which the pharmacist may order or perform and evaluate laboratory or clinical tests.
5. Conditions and events upon which the pharmacist must notify the collaborating physician and the manner and timeframe in which such notification must occur.
6. Beginning and ending dates for the collaborative pharmacy practice agreement and termination procedures, including procedures for patient notification and medical records transfers.
7. A statement that the collaborative pharmacy practice agreement may be terminated, in writing, by either party at any time.

The collaborative pharmacy practice agreement shall automatically terminate 2 years after execution if not renewed. The pharmacist, along with the collaborating physician, must maintain on file the collaborative pharmacy practice agreement at his or her practice location, and must make such agreements available to the department or board upon request or inspection.

A pharmacist who enters into a collaborative pharmacy practice agreement must submit a copy of the signed agreement to the board before the agreement may be implemented.

**8. SOCIAL SECURITY DISCLOSURE**

**This information is exempt from public records disclosure.**

Pursuant to Title 42 United States Code § 666(a)(13), the department is required and authorized to collect Social Security numbers relating to applications for professional licensure. Additionally, section (s.) 456.013(1)(a), Florida Statutes (F.S.), authorizes the collection of Social Security numbers as part of the general licensing provisions.

**Last Name:** \_\_\_\_\_

**First Name:** \_\_\_\_\_

**Middle Name:** \_\_\_\_\_

**Social Security Number:** \_\_\_\_\_

(Input without dashes)

**Social Security Information-** \* Under the Federal Privacy Act, disclosure of Social Security numbers is voluntary unless specifically required by federal statute. In this instance, Social Security numbers are mandatory pursuant to Title 42 United States Code § 653 and 654; and s. 456.013(1), 409.2577, and 409.2598, F.S. Social Security numbers are used to allow efficient screening of applicants and licensees by a Title IV-D child support agency to ensure compliance with child support obligations. Social Security numbers must also be recorded on all professional and occupational license applications and will be used for license identification pursuant to Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Welfare Reform Act. 104 Pub. L. Section 317). Clarification of the SSA process may be reviewed at [www.ssa.gov](http://www.ssa.gov) or by calling 1-800-772-1213.

Name: \_\_\_\_\_

**9. APPLICANT SIGNATURE**

I, the undersigned, state that I am the person referred to in this application for certification in the state of Florida.

I recognize that providing false information may result in disciplinary action against my license or criminal penalties pursuant to s. 456.067 and 775.083, Florida Statutes.

Florida law requires me to immediately inform the board of any material change in any circumstances or condition stated in the application which takes place between the initial filing and the final granting or denial of the license and to supplement the information on this application as needed.

Section 456.013(1)(a), Florida Statutes, provides that an incomplete application shall expire one year after the initial filing with the department.

Applicant Signature \_\_\_\_\_ Date \_\_\_\_\_  
*You may print out this application and sign it or sign it digitally.* MM/DD/YYYY

Documentation must be sent to the board office at [info@floridaspharmacy.gov](mailto:info@floridaspharmacy.gov), or mailed to:

**Board of Pharmacy**  
4052 Bald Cypress Way Bin C-04  
Tallahassee, FL 32399-3258



Application  
*for*  
Pharmacist Test and Treat Certification

**Board of Pharmacy**  
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# Pharmacist Test and Treat Certification Application

Board of Pharmacy  
P.O. Box 6330  
Tallahassee, FL 32314-6330  
Fax: (850) 921-5389  
Email: info@floridaspharmacy.gov

All applicants must hold a current Florida Pharmacist license that is active and in good standing.

## Pharmacist Test and Treat Certification

Prior to testing or screening for and treating minor, nonchronic health conditions under a written protocol, a pharmacist must be certified by the board. Additionally, a pharmacist must practice within the framework of a written protocol with a supervising physician licensed under Chapter 458, Florida Statutes, or Chapter 459, Florida Statutes. Please refer to Section 465.1895, Florida Statutes, prior to submitting your application.

### 1. PERSONAL INFORMATION

Name: \_\_\_\_\_ Date of Birth: \_\_\_\_\_  
Last/Surname First Middle MM/DD/YYYY

Mailing Address: (This address is where mail and your certification should be sent)

\_\_\_\_\_  
Street/P.O. Box Apt. No. City  
\_\_\_\_\_  
State ZIP Country Home/Cell Telephone (Input without dashes)

Physical Location: (Required if mailing address is a P.O. Box – this address will be posted on the Department of Health’s website)

\_\_\_\_\_  
Street Apt. No. City  
\_\_\_\_\_  
State ZIP Country Business Telephone (Input without dashes)

Email Notification: To be notified of the status of your application by email, check the “Yes” box and fill in your email address on the line provided. If you choose to be notified via email you will be responsible for checking your email regularly and updating your email address with the board office.

Yes  No Email Address: \_\_\_\_\_

Under Florida law, email addresses are public records. If you do not want your email address released in response to a public records request, do not provide an email address or send electronic mail to our office. Instead contact the office by phone or in writing.

Name: \_\_\_\_\_

## 2. LICENSURE HISTORY

A. What is your Florida Pharmacist (PS) license number? \_\_\_\_\_

## 3. CERTIFICATION TRAINING

To qualify for certification, an applicant must have completed an initial 20-hour certification course that meets the statutory and rule requirements of section 465.1895, Florida Statutes, and Rule 64B31.XXX, F.A.C.

A. Have you successfully completed an initial 20-hour course approved by the Florida Board of Pharmacy?  Yes  No

If “Yes,” provide a copy of the certificate of completion and the following information.

Provider Name	Provider Number	Date of Completion	Certificate Number

## 4. PROFESSIONAL LIABILITY INSURANCE

To test or screen for and treat minor, nonchronic health conditions within the framework of a written protocol, a pharmacist must maintain at least \$250,000 of professional liability insurance coverage. A pharmacist who maintains professional liability coverage as a requirement of their Collaborative Practice Certification satisfies this requirement.

A. Do you maintain at least \$250,000 of professional liability insurance?  Yes  No

If “Yes,” provide the following information:

Insurance Provider Name	Policy Number	Policy Expiration Date

## 5. REPORTING REQUIREMENTS

To test or screen for and treat minor, nonchronic health conditions within the framework of a written protocol, a pharmacist must report a diagnosis or suspected existence of a disease of public health significance to the Department of Health pursuant to section 381.0031, Florida Statutes.

A. Have you reviewed the Disease Reporting and Management Information at <http://www.floridahealth.gov/diseases-and-conditions/index.html>?  Yes  No

## 6. SYSTEM TO MAINTAIN RECORDS

To test or screen for and treat minor, nonchronic health conditions within the framework of a written protocol, a pharmacist must furnish patient records to a health care practitioner designated by the patient upon request. Additionally, a pharmacist must maintain records of all patients receiving services for a period of five (5) years from each patient’s most recent provision of service.

A. Have you establish a system to maintain records of all patients receiving services within the framework of a written protocol?  Yes  No

Name: \_\_\_\_\_

## 7. SUPERVISING PHYSICIAN

If available, provide the following information for the physician licensed under chapter 458 or 459, Florida Statutes (F.S.), with whom you have entered into a protocol.

Physician Name: \_\_\_\_\_

Physician License #: \_\_\_\_\_

## 8. WRITTEN PROTOCOL INFORMATION

Each written protocol must include particular terms and conditions imposed by the supervising physician relating to the testing and screening for and treatment of minor, nonchronic health conditions. The terms and conditions must be appropriate to the pharmacist's training.

The written protocol must include, at a minimum, the following information:

1. Specific categories of patients who the pharmacist is authorized to test or screen for and treat minor, nonchronic health conditions.
2. The physician's instructions for obtaining relevant patient medical history for the purpose of identifying disqualifying health conditions, adverse reactions, and contraindications to the approved course of treatment.
3. The physician's instructions for the treatment of minor, nonchronic health conditions based on the patient's age, symptoms, and test results, including negative results.
4. A process and schedule for the physician to review the pharmacist's actions under the protocol.
5. A process and schedule for the pharmacist to notify the physician of the patient's condition, tests administered, test results, and course of treatment.

A pharmacist who enters into a written protocol must submit a copy of the protocol to the board.

**9. SOCIAL SECURITY DISCLOSURE**

**This information is exempt from public records disclosure.**

Pursuant to Title 42 United States Code § 666(a)(13), the department is required and authorized to collect Social Security numbers relating to applications for professional licensure. Additionally, section (s.) 456.013(1)(a), Florida Statutes (F.S.), authorizes the collection of Social Security numbers as part of the general licensing provisions.

**Last Name:** \_\_\_\_\_

**First Name:** \_\_\_\_\_

**Middle Name:** \_\_\_\_\_

**Social Security Number:** \_\_\_\_\_  
(Input without dashes)

**Social Security Information-** \* Under the Federal Privacy Act, disclosure of Social Security numbers is voluntary unless specifically required by federal statute. In this instance, Social Security numbers are mandatory pursuant to Title 42 United States Code § 653 and 654; and s. 456.013(1), 409.2577, and 409.2598, F.S. Social Security numbers are used to allow efficient screening of applicants and licensees by a Title IV-D child support agency to ensure compliance with child support obligations. Social Security numbers must also be recorded on all professional and occupational license applications and will be used for license identification pursuant to Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Welfare Reform Act. 104 Pub. L. Section 317). Clarification of the SSA process may be reviewed at [www.ssa.gov](http://www.ssa.gov) or by calling 1-800-772-1213.

Name: \_\_\_\_\_

**10. APPLICANT SIGNATURE**

I, the undersigned, state that I am the person referred to in this application for certification in the state of Florida.

I recognize that providing false information may result in disciplinary action against my license or criminal penalties pursuant to s. 456.067 and 775.083, F.S.

I am aware that my certification may be suspended or revoked if I violate any pharmacy law, rule or regulation, or the Florida Board of Pharmacy Code of Conduct.

Florida law requires me to immediately inform the board of any material change in any circumstances or condition stated in the application which takes place between the initial filing and the final granting or denial of the license and to supplement the information on this application as needed.

Section 456.013(1)(a), F.S., provides that an incomplete application shall expire one year after the initial filing with the department.

Applicant Signature \_\_\_\_\_ Date \_\_\_\_\_  
*You may print out this application and sign it or sign it digitally.* MM/DD/YYYY

Documentation must be sent to the board office at [info@floridaspharmacy.gov](mailto:info@floridaspharmacy.gov), or mailed to:

**Board of Pharmacy**  
4052 Bald Cypress Way Bin C-04  
Tallahassee, FL 32399-3258

## **64B16-26.XXXX Collaborative Pharmacy Practice Certification.**

(1) An application for certification to provide services under a collaborative pharmacy practice agreement shall be made on Board approved form DH-MQA XXXX, "Board of Pharmacy Collaborative Pharmacy Practice Certification Application," dated XX/20, which is hereby incorporated by reference. To obtain an application go to XXXXXX, or contact the Board of Pharmacy at 4052 Bald Cypress Way, Bin #C04, Tallahassee, FL 32399-3254 or (850)488-0595, or download the application from the web at <http://www.doh.state.fl.us/mqa/pharmacy>.

(2) The Board shall approve a 20-hour education course offered by an Accreditation Council of Pharmacy Education (ACPE) accredited provider for initial certification to provide services under a collaborative pharmacy practice agreement. The course shall cover all of the following:

- (a) Performance of patient assessments;
- (b) Ordering, performing, and interpreting clinical and laboratory tests related to collaborative pharmacy practice;
- (c) Evaluating and managing diseases and health conditions in collaboration with other health care practitioners; and
- (d) Review of applicable state and federal laws and rules.

(3) The 20-hours of education for initial certification may be applied to the 30 hours of continuing education required under section 465.009, F.S.

(4) The Board shall approve an 8-hour continuing education course offered by an ACPE accredited provider to be completed by a pharmacist who practices under a collaborative pharmacy practice each biennial license renewal period. The course shall provide a review of the material covered in the initial certification course and any applicable updated information.

**64B16-27.XXXX Collaborative Pharmacy Practice for Chronic Health Conditions.**

In addition to the chronic health conditions listed in section 465.1865, F.S., “chronic health condition” means any chronic condition to be collaboratively managed by a pharmacist and a collaborating physician under a collaborative pharmacy practice agreement that meets the requirements of 465.1865(3), F.S.

**64B16-26.XXXX Certification for Testing or Screening for and Treating Minor, Nonchronic Health Conditions.**

(1) An application for certification to test or screen for and treat minor, nonchronic health conditions shall be made on Board approved form DH-MQA XXXX, "Board of Pharmacy Test and Treat Certification Application," dated XX/20, which is hereby incorporated by reference. To obtain an application go to XXXXXX, or contact the Board of Pharmacy at 4052 Bald Cypress Way, Bin #C04, Tallahassee, FL 32399-3254 or (850)488-0595, or download the application from the web at <http://www.doh.state.fl.us/mqa/pharmacy>.

(2) The Board shall approve a 20-hour education course offered by an Accreditation Council of Pharmacy Education (ACPE) accredited provider for initial certification to test or screen for and treat minor, nonchronic health conditions. The course, at a minimum, shall cover all of the following:

- (a) Patient assessments;
- (b) Point-of-care testing procedures;
- (c) Safe and effective treatment of minor, nonchronic health conditions;
- (d) Identification of contraindications;
- (e) Applicable state and federal laws and rules.

(3) The 20-hours of education for initial certification may be applied to the 30 hours of continuing education required under section 465.009, F.S.

(4) The Board shall approve a 3-hour continuing education course offered by an ACPE accredited provider to be completed by a pharmacist providing services under section 465.1895, F.S., each biennial license renewal period. The course shall provide a review of the material covered in the initial certification course and any applicable updated information.

## **64B16-27.XXXX Formulary of Drugs for Treating Minor, Nonchronic Health Conditions**

A pharmacist certified to treat minor, nonchronic health conditions in accordance with section 465.1895, F.S., may prescribe any medicinal drug for the treatment of a minor, nonchronic health condition that is:

- (1) Not a controlled substance as described in section 893.03, F.S., or 21 U.S.C. section 812;
- (2) Approved by the United States Food and Drug Administration; and
- (3) Indicated for treatment of the minor, nonchronic health condition.

**64B16-27.XXXX Guidelines for Providing Patients with Written Information Advising Patients to Seek Followup Care**

A pharmacist who tests or screens for and treats minor, nonchronic health conditions in accordance with section 465.1895, F.S., must provide a patient with written information advising the patient to followup with his or her primary care provider when:

- (1) The written protocol between the pharmacist and the supervising physician requires the pharmacist to advise the patient to followup with his or her primary care provider.
- (2) The pharmacist determines in his or her professional judgment that the patient should followup with his or her primary care provider.