

THE FLORIDA BOARD OF PHARMACY

ANNUAL REGULATORY PLAN 2017-18

This Annual Regulatory Plan is being filed and published pursuant to section 120.74, *Florida Statutes* (2017). The Plan covers the period beginning October 1, 2017 and ending September 30, 2018.

PART ONE LAWS ENACTED OR AMENDED

Part One of the Plan addresses each law enacted or amended during the 2017 Legislative Session which creates or modifies the duties or authority of the Board of Pharmacy. §120.74(1)(a), Fla. Stat. (2017).

Law Enacted or Modified on or after Oct. 1, 2016	Florida Statute (modified or created)	Rule (impacted)	Must Agency Adopt Rules?	If Rulemaking Necessary, Notice of Development Published in Florida Administrative Register?	Expected Publication Date for Notice of Proposed Rulemaking	If Rulemaking Not Necessary, Explain
Ch 2017-41, §3, Laws of Fla., Effective 5-31-17 (HB 229)	§456.0635, F.S., (Healthcare Fraud; disqualification for license, certificate, or registration)	<p><u>64B16-26.203</u>, F.A.C. (Pharmacist Licensure by Examination (U.S. Graduates); Application)</p> <p><u>64B16-26.2031</u>, F.A.C. (Licensure by Examination; Foreign Pharmacy Graduates)</p>	No	Not applicable	Not Applicable	Although rulemaking is not required, certain questions on the licensure applications may be clarified and the Board anticipates opening rule development to address this and other application issues prior to the end of 2018.

		<p><u>64B16-26.2032</u>, F.A.C. (Application for Pharmacy Intern Registration)</p> <p><u>64B16-26.204</u>, F.A.C. (Pharmacist Licensure by Endorsement; Application)</p> <p><u>64B16-26.300</u>, F.A.C. (Consultant Pharmacist Licensure)</p> <p><u>64B5-26.303</u>, F.A.C. (Nuclear Pharmacist Licensure)</p> <p><u>64B16-26.350</u>, F.A.C. (Requirements for Pharmacy Technician Registration)</p> <p><u>64B16-28.100</u>, F.A.C. (Pharmacy Permits – Applications and Permitting)</p>				
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PART TWO
LAWS EXPECTED TO BE IMPLEMENTED THROUGH RULEMAKING

Part Two of this plan addresses those laws which the Board of Pharmacy intends to implement through rulemaking by July 1, 2018 that are otherwise not covered pursuant to Part One of this Plan. This Part does not include emergency rulemaking or any other rulemaking that may become necessary that was not evident to the Board at the time of the submission of this plan. Additionally, the listing of a law to be implemented does not mean the rule will necessarily be adopted or effective by July 1, 2018. §120.74(1)(b), Fla. Stat. (2017).

Rule Number And Title	Law Expected to Be Implemented Through Rulemaking	Intent of Rulemaking
64B16-27.210, F.A.C. (General Terms and Conditions to Be Followed by Pharmacist When Ordering and Dispensing Approved Medicinal Drug Products)	§§465.022 and 465.186, F.S.	Update, Clarify, and Reduce regulatory burden
64B16-27.220, F.A.C. (Medicinal Drugs Which May be Ordered by Pharmacists)	§465.186, F.S.	Update; Clarify; and Reduce regulatory burden
64B16-27.4001, F.A.C. (Delegation to and Supervision of Pharmacy Technicians; Responsibility of Supervising Pharmacist)	§465.014, F.S.	Clarify; Update, and Reduce regulatory burden

64B16-27.410, F.A.C. (Registered Pharmacy Technician to Pharmacist Ratio)	§§465.014 and 465.022, F.S.	Update; Clarify; Increase efficiency; and Reduce regulatory burden
64B16-27.420, F.A.C. (Pharmacy Technician – Delegable and Non-Delegable Tasks)	§465.014, F.S.	Update; Clarify
64B16-27.830, F.A.C. (Standards of Practice – Drug Therapy Management)	§465.003 and 465.0155, F.S.	Update; Clarify; and Reduce regulatory burden
64B16-27.831, F.A.C. (Standards of Practice for the Filling of Controlled Substance Prescriptions; Electronic Prescribing; Mandatory Continuing Education)	§§456.013; 456.42; 456.43; 465.0155; 465.003; 465.009; 465.016; 465.017; 465.022; and 893.04, F.S.	Clarify; Simplify; Update
64B16-28.100, F.A.C. (Pharmacy Permits – Applications and Permitting)	§§ 456.013; 456.025; 456.0635; 465.018; 465.019; 465.0193; 465.0196; 465.0197; and 465.022, F.S.	Clarify, Simplify, and Increase efficiency
64B16-30.001, F.A.C. (Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances)	§§456.072(2); 456.079(1); 465.016; and 465.023, F.S.	Clarify and Update
64B16-30.002, F.A.C. (Minor Violations)	§456.073(3), F.S.	Update; Clarify; and Reduce regulatory burden

PART THREE
UPDATES TO PRIOR YEAR'S PLAN

Part Three of the Plan address whether there are any updates to the prior year's regulatory plan. §120.74(1)(c), Fla. Stat. (2017).

There are not any updates to the prior year's annual regulatory plan.

PART FOUR
CERTIFICATION PURSUANT TO §120.74(1)(d), Fla. Stat. (2017)

The undersigned hereby certify that they have reviewed this Annual Regulatory Plan and that the Board of Pharmacy regularly reviews all its rules to determine if the rules remain consistent with the Board's rulemaking authority and the laws being implemented, with the most comprehensive enhanced review having been completed on the 30th day of June, 2015 with continuing board review through August, 2017.

/S/ Mark W. Mikhael, PharmD
Electronic Signature
Mark W. Mikhael, PharmD
Chair of the Board of Pharmacy

/S/ David D. Flynn, Esquire
Electronic Signature
David D. Flynn, Esquire
Assistant Attorney General
Counsel to the Board of Pharmacy

September 7, 2017
Date Signed

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Date Signed