

Dr. Jeffrey J. Mesaros
Chairman, Florida Board of Pharmacy
4052 Bald Cypress Way, C-04
Tallahassee, Florida 32399

Re: Delegation and Supervision of Pharmacy Technicians – Rule 64B16-27.4001

Dear Chairman Mesaros,

The Dade County Pharmacy Association (DCPA) represents pharmacists, student pharmacists, technicians, and key stakeholders in various practice settings in Miami-Dade County. As a member of this community, I would like to bring to your attention concerns that I have over the recently-revised rule 64B16-27.4001 related to the Delegation to and Supervision of Pharmacy Technicians; Responsibility of the Supervising Pharmacist. This rule revision was finalized on December 17, 2018 to redefine “direct supervision”. As you know, the new version of this rule now describes direct supervision where the supervising pharmacist is not required to be on the same premises as the technician as long as there is sufficient technology to provide said supervision.

From the perspective of consumer safety, I believe, as do many of my colleagues whom I have spoken with, that the revised rule does not provide any additional benefit beyond what was provided by the pre-existing rule. Instead, the revised definition introduces unwarranted risk by lowering long-established safety guard rails designed purposefully to protect the public. It is my belief that this change will bring about increased opportunities for consumer harm thereby conflicting with the Board’s stated responsibility of protecting the public. More specifically, I am concerned that supervision via an undefined technology solution may not allow for the timely intervention, prevention, and/or correction of deviations from expected and desired patient safety outcomes. Furthermore, operational decisions by some pharmacies may not always be aligned with pharmacist practitioners’ expectations who provide direct patient care. Additionally, without a pharmacist physically present, it is not well-understood where ultimate ethical responsibility for consumer safety lies; this is to the detriment of the public.

At your board meeting in August of 2018, there was public testimony provided by pharmacist stakeholders expressing concerns over attempts to redefine direct supervision. Yet, regardless of this testimony, the Board elected to move forward with revisions to 64B16-27.4001.

A review of Pharmacy Practice acts from other States defined “direct supervision” as the pharmacist being immediately available and on the premises. Likewise, Practice Acts from our other healthcare colleagues define “direct supervision” as on the premises.

In consideration of my comments, I respectfully ask that the Board revisit rule 64B16-27.4001 and re-open it for public comment.

With kindest regards,

Active Member of the Dade County Pharmacy Association

Date

License Number: _____