

Florida Legislature Passes Senate Bill 1360, 'The Pharmacy Technician Act'

This Act brings a bit of justice to the Hippely family for the loss of their wife and mother Beth.

In May 2008, the Florida Legislature passed Senate Bill 1360, The Pharmacy Technician Act, which will provide regulations governing the employment of pharmacy technicians. The act will require pharmacy technicians to register with the Florida Board of Pharmacy, to work under the direct supervision of a pharmacist, and to be at least 17 years of age. Further, registered pharmacy technicians will be required to complete 20 hours of continuing education in pharmaceutical procedures prior to their biennial renewal of their registration. It will also be unlawful for any person not registered as a pharmacy technician to perform the functions of a pharmacy technician. On June 13, 2008, the bill was sent to Governor Charlie Crist for signature. The bill was expected to be signed into law shortly thereafter.

The bill was enacted following the death of Lakeland, Florida, resident Beth Hippely. In the summer of 2002, Beth was enduring treatment for breast cancer that included chemotherapy and the drug, Warfarin, a blood thinner. Unbeknownst to Beth, the pharmacy technician at Walgreens entered her prescription refill order at 10 times the prescribed dose of Warfarin. After three weeks of taking the medication, Beth suffered a massive cerebral hemorrhage. After a period of time in a coma and then a

"locked-in state", her family prepared to make the hard decisions regarding the life support measures being used. Beth improved little by little and was able to endure months of painful therapy only to gain a very limited ability to function. She spent most of her remaining life in nursing homes with extensive care. Unable to continue her cancer treatment because of the brain injury caused by the overdose of medication, Beth's cancer returned and spread throughout her body. She died in January 2007 from cancer.

Beth's death was attributed to the prescription error made by a Walgreens pharmacy technician. This was not the first death in Florida, or in the nation, attributable to untrained and unsupervised pharmacy technicians. In 2003, SDSBS attorneys **Chris Searcy** and **Karen Terry** filed a suit in the Tenth Judicial Circuit Court in Polk County on behalf of Beth Hippely's family against Walgreens for negligence and wrongful death. In August 2007, a jury delivered a verdict in favor of the Hippely family, awarding \$25.8 million in damages. "This was a case of profits over safety, where a company's aggressive growth strategy resulted in a preventable prescription error," said Karen Terry. ■

"The passage of this bill will help put an end to preventable deaths caused by pharmaceutical errors," said Chris Searcy.

"This legislation will serve to protect the safety of Florida's citizens and countless others."



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