

1 A bill to be entitled
 2 An act relating to the Department of Business and
 3 Professional Regulation; amending s. 20.165, F.S.;
 4 creating the Division of Drugs, Devices, and Cosmetics
 5 within the Department of Business and Professional
 6 Regulation; amending s. 455.116, F.S.; deleting the
 7 Florida Drug, Device, and Cosmetic Trust Fund from the
 8 list of trust funds placed in the department, to
 9 conform; amending ss. 499.003, 499.01211, 499.024,
 10 499.065, 499.601, and 499.61, F.S.; conforming
 11 provisions to the transfer by s. 27, ch. 2010-161,
 12 Laws of Florida, of regulatory authority for chapter
 13 499, F.S., from the Department of Health to the
 14 Department of Business and Professional Regulation;
 15 repealing s. 499.0031, F.S., relating to the Florida
 16 Drug, Device, and Cosmetic Trust Fund; terminating the
 17 Florida Drug, Device, and Cosmetic Trust Fund;
 18 providing for the disposition of balances in and
 19 revenues of such trust fund; prescribing procedures
 20 for the termination of such trust fund; amending ss.
 21 499.01, 499.028, 499.04, 499.057, 499.062, 499.066,
 22 499.62, 499.72, and 499.79, F.S.; conforming
 23 provisions; providing effective dates.

24
 25 Be It Enacted by the Legislature of the State of Florida:
 26

27 Section 1. Paragraphs (d) through (k) of subsection (2) of
 28 section 20.165, Florida Statutes, are redesignated as paragraphs

29 (e) through (l), respectively, and a new paragraph (d) is added
 30 to that subsection to read:

31 20.165 Department of Business and Professional
 32 Regulation.—There is created a Department of Business and
 33 Professional Regulation.

34 (2) The following divisions of the Department of Business
 35 and Professional Regulation are established:

36 (d) Division of Drugs, Devices, and Cosmetics.

37 Section 2. Effective November 1, 2012, subsection (8) of
 38 section 455.116, Florida Statutes, is amended to read:

39 455.116 Regulation trust funds.—The following trust funds
 40 shall be placed in the department:

41 ~~(8) Florida Drug, Device, and Cosmetic Trust Fund.~~

42 Section 3. Subsection (15) and paragraph (a) of subsection
 43 (54) of section 499.003, Florida Statutes, are amended to read:

44 499.003 Definitions of terms used in this part.—As used in
 45 this part, the term:

46 (15) "Department" means the Department of Business and
 47 Professional Regulation Health.

48 (54) "Wholesale distribution" means distribution of
 49 prescription drugs to persons other than a consumer or patient,
 50 but does not include:

51 (a) Any of the following activities, which is not a
 52 violation of s. 499.005(21) if such activity is conducted in
 53 accordance with s. 499.01(2)(g):

54 1. The purchase or other acquisition by a hospital or
 55 other health care entity that is a member of a group purchasing
 56 organization of a prescription drug for its own use from the

57 | group purchasing organization or from other hospitals or health
 58 | care entities that are members of that organization.

59 | 2. The sale, purchase, or trade of a prescription drug or
 60 | an offer to sell, purchase, or trade a prescription drug by a
 61 | charitable organization described in s. 501(c)(3) of the
 62 | Internal Revenue Code of 1986, as amended and revised, to a
 63 | nonprofit affiliate of the organization to the extent otherwise
 64 | permitted by law.

65 | 3. The sale, purchase, or trade of a prescription drug or
 66 | an offer to sell, purchase, or trade a prescription drug among
 67 | hospitals or other health care entities that are under common
 68 | control. For purposes of this subparagraph, "common control"
 69 | means the power to direct or cause the direction of the
 70 | management and policies of a person or an organization, whether
 71 | by ownership of stock, by voting rights, by contract, or
 72 | otherwise.

73 | 4. The sale, purchase, trade, or other transfer of a
 74 | prescription drug from or for any federal, state, or local
 75 | government agency or any entity eligible to purchase
 76 | prescription drugs at public health services prices pursuant to
 77 | Pub. L. No. 102-585, s. 602 to a contract provider or its
 78 | subcontractor for eligible patients of the agency or entity
 79 | under the following conditions:

80 | a. The agency or entity must obtain written authorization
 81 | for the sale, purchase, trade, or other transfer of a
 82 | prescription drug under this subparagraph from the Secretary of
 83 | Business and Professional Regulation ~~State Surgeon General~~ or
 84 | his or her designee.

85 | b. The contract provider or subcontractor must be
86 | authorized by law to administer or dispense prescription drugs.

87 | c. In the case of a subcontractor, the agency or entity
88 | must be a party to and execute the subcontract.

89 | d. A contract provider or subcontractor must maintain
90 | separate and apart from other prescription drug inventory any
91 | prescription drugs of the agency or entity in its possession.

92 | e. The contract provider and subcontractor must maintain
93 | and produce immediately for inspection all records of movement
94 | or transfer of all the prescription drugs belonging to the
95 | agency or entity, including, but not limited to, the records of
96 | receipt and disposition of prescription drugs. Each contractor
97 | and subcontractor dispensing or administering these drugs must
98 | maintain and produce records documenting the dispensing or
99 | administration. Records that are required to be maintained
100 | include, but are not limited to, a perpetual inventory itemizing
101 | drugs received and drugs dispensed by prescription number or
102 | administered by patient identifier, which must be submitted to
103 | the agency or entity quarterly.

104 | f. The contract provider or subcontractor may administer
105 | or dispense the prescription drugs only to the eligible patients
106 | of the agency or entity or must return the prescription drugs
107 | for or to the agency or entity. The contract provider or
108 | subcontractor must require proof from each person seeking to
109 | fill a prescription or obtain treatment that the person is an
110 | eligible patient of the agency or entity and must, at a minimum,
111 | maintain a copy of this proof as part of the records of the
112 | contractor or subcontractor required under sub-subparagraph e.

113 g. In addition to the departmental inspection authority
 114 set forth in s. 499.051, the establishment of the contract
 115 provider and subcontractor and all records pertaining to
 116 prescription drugs subject to this subparagraph shall be subject
 117 to inspection by the agency or entity. All records relating to
 118 prescription drugs of a manufacturer under this subparagraph
 119 shall be subject to audit by the manufacturer of those drugs,
 120 without identifying individual patient information.

121 Section 4. Subsection (2) of section 499.01211, Florida
 122 Statutes, is amended to read:

123 499.01211 Drug Wholesale Distributor Advisory Council.—

124 (2) The Secretary of Business and Professional Regulation
 125 ~~State Surgeon General~~, or his or her designee, and the Secretary
 126 of Health Care Administration, or her or his designee, shall be
 127 members of the council. The Secretary of Business and
 128 Professional Regulation ~~State Surgeon General~~ shall appoint nine
 129 additional members to the council who shall be appointed to a
 130 term of 4 years each, as follows:

131 (a) Three different persons each of whom is employed by a
 132 different prescription drug wholesale distributor licensed under
 133 this part which operates nationally and is a primary wholesale
 134 distributor, as defined in s. 499.003(47).

135 (b) One person employed by a prescription drug wholesale
 136 distributor licensed under this part which is a secondary
 137 wholesale distributor, as defined in s. 499.003(52).

138 (c) One person employed by a retail pharmacy chain located
 139 in this state.

140 (d) One person who is a member of the Board of Pharmacy

141 and is a pharmacist licensed under chapter 465.

142 (e) One person who is a physician licensed pursuant to
143 chapter 458 or chapter 459.

144 (f) One person who is an employee of a hospital licensed
145 pursuant to chapter 395 and is a pharmacist licensed pursuant to
146 chapter 465.

147 (g) One person who is an employee of a pharmaceutical
148 manufacturer.

149 Section 5. Section 499.024, Florida Statutes, is amended
150 to read:

151 499.024 Drug product classification.—The department ~~State~~
152 ~~Surgeon General~~ shall adopt rules to classify drug products
153 intended for use by humans which the United States Food and Drug
154 Administration has not classified in the federal act or the Code
155 of Federal Regulations.

156 (1) Drug products must be classified as proprietary,
157 prescription, or investigational drugs.

158 (2) If a product is distributed without required labeling,
159 it is misbranded while held for sale.

160 (3) Any product that falls under the definition of drug in
161 s. 499.003(19) may be classified under the authority of this
162 section. This section does not subject portable emergency oxygen
163 inhalators to classification; however, this section does not
164 exempt any person from ss. 499.01 and 499.015.

165 (4) Any product classified under the authority of this
166 section reverts to the federal classification, if different,
167 upon the federal regulation or act becoming effective.

168 (5) The department may by rule reclassify drugs subject to

169 | this part when such classification action is necessary to
 170 | protect the public health.

171 | (6) The department may adopt rules that exempt from any
 172 | labeling or packaging requirements of this part drugs classified
 173 | under this section if those requirements are not necessary to
 174 | protect the public health.

175 | Section 6. Subsection (2) of section 499.065, Florida
 176 | Statutes, is amended to read:

177 | 499.065 Inspections; imminent danger.—

178 | (2) To protect the public from prescription drugs that are
 179 | adulterated or otherwise unfit for human or animal consumption,
 180 | the department may examine, sample, seize, and stop the sale or
 181 | use of prescription drugs to determine the condition of those
 182 | drugs. The department may immediately seize and remove any
 183 | prescription drugs if the Secretary of Business and Professional
 184 | Regulation ~~State Surgeon General~~ or his or her designee
 185 | determines that the prescription drugs represent a threat to the
 186 | public health. The owner of any property seized under this
 187 | section may, within 10 days after the seizure, apply to a court
 188 | of competent jurisdiction for whatever relief is appropriate. At
 189 | any time after 10 days, the department may destroy the drugs as
 190 | contraband.

191 | Section 7. Subsection (2) of section 499.601, Florida
 192 | Statutes, is amended to read:

193 | 499.601 Legislative intent; construction.—

194 | (2) The provisions of this part are cumulative and shall
 195 | not be construed as repealing or affecting any powers, duties,
 196 | or authority of the department ~~of Health~~ under any other law of

197 | this state; except that, with respect to the regulation of ether
 198 | as herein provided, in instances in which the provisions of this
 199 | part may conflict with any other such law, the provisions of
 200 | this part shall control.

201 | Section 8. Subsection (2) of section 499.61, Florida
 202 | Statutes, is amended to read:

203 | 499.61 Definitions.—As used in this part:

204 | (2) "Department" means the Department of Business and
 205 | Professional Regulation ~~Health~~.

206 | Section 9. Effective November 1, 2012, section 499.0031,
 207 | Florida Statutes, is repealed.

208 | Section 10. (1) The Florida Drug, Device, and Cosmetic
 209 | Trust Fund within the Department of Business and Professional
 210 | Regulation, FLAIR number 20-2-173005, is terminated.

211 | (2) The current balance remaining in, and all revenues of,
 212 | the Florida Drug, Device, and Cosmetic Trust Fund shall be
 213 | transferred to the Professional Regulation Trust Fund.

214 | (3) The Department of Business and Professional Regulation
 215 | shall pay any outstanding debts or obligations of the Florida
 216 | Drug, Device, and Cosmetic Trust Fund as soon as practicable,
 217 | and the Chief Financial Officer shall close out and remove the
 218 | terminated fund from the various state accounting systems using
 219 | generally accepted accounting principles concerning warrants
 220 | outstanding, assets, and liabilities.

221 | (4) This section shall take effect November 1, 2012.

222 | Section 11. Paragraphs (d), (e), and (l) of subsection (2)
 223 | of section 499.01, Florida Statutes, are amended to read:

224 | 499.01 Permits.—

225 (2) The following permits are established:
 226 (d) Prescription drug wholesale distributor permit.—A
 227 prescription drug wholesale distributor is a wholesale
 228 distributor that may engage in the wholesale distribution of
 229 prescription drugs. A prescription drug wholesale distributor
 230 that applies to the department for a new permit or the renewal
 231 of a permit must submit a bond of \$100,000, or other equivalent
 232 means of security acceptable to the department, such as an
 233 irrevocable letter of credit or a deposit in a trust account or
 234 financial institution, payable to the Professional Regulation
 235 ~~Florida Drug, Device, and Cosmetic~~ Trust Fund. The purpose of
 236 the bond is to secure payment of any administrative penalties
 237 imposed by the department and any fees and costs incurred by the
 238 department regarding that permit which are authorized under
 239 state law and which the permittee fails to pay 30 days after the
 240 fine or costs become final. The department may make a claim
 241 against such bond or security until 1 year after the permittee's
 242 license ceases to be valid or until 60 days after any
 243 administrative or legal proceeding authorized in this part which
 244 involves the permittee is concluded, including any appeal,
 245 whichever occurs later. The department may adopt rules for
 246 issuing a prescription drug wholesale distributor-broker permit
 247 to a person who engages in the wholesale distribution of
 248 prescription drugs and does not take physical possession of any
 249 prescription drugs.
 250 (e) Out-of-state prescription drug wholesale distributor
 251 permit.—An out-of-state prescription drug wholesale distributor
 252 is a wholesale distributor located outside this state which

253 engages in the wholesale distribution of prescription drugs into
 254 this state and which must be permitted by the department and
 255 comply with all the provisions required of a wholesale
 256 distributor under this part. An out-of-state prescription drug
 257 wholesale distributor that applies to the department for a new
 258 permit or the renewal of a permit must submit a bond of
 259 \$100,000, or other equivalent means of security acceptable to
 260 the department, such as an irrevocable letter of credit or a
 261 deposit in a trust account or financial institution, payable to
 262 the Professional Regulation Florida Drug, Device, and Cosmetic
 263 Trust Fund. The purpose of the bond is to secure payment of any
 264 administrative penalties imposed by the department and any fees
 265 and costs incurred by the department regarding that permit which
 266 are authorized under state law and which the permittee fails to
 267 pay 30 days after the fine or costs become final. The department
 268 may make a claim against such bond or security until 1 year
 269 after the permittee's license ceases to be valid or until 60
 270 days after any administrative or legal proceeding authorized in
 271 this part which involves the permittee is concluded, including
 272 any appeal, whichever occurs later.

273 1. The out-of-state prescription drug wholesale
 274 distributor must maintain at all times a license or permit to
 275 engage in the wholesale distribution of prescription drugs in
 276 compliance with laws of the state in which it is a resident.

277 2. An out-of-state prescription drug wholesale distributor
 278 permit is not required for an intracompany sale or transfer of a
 279 prescription drug from an out-of-state establishment that is
 280 duly licensed as a prescription drug wholesale distributor, in

281 | its state of residence, to a licensed prescription drug
 282 | wholesale distributor in this state, if both wholesale
 283 | distributors conduct wholesale distributions of prescription
 284 | drugs under the same business name. The recordkeeping
 285 | requirements of ss. 499.0121(6) and 499.01212 must be followed
 286 | for this transaction.

287 | (1) Limited prescription drug veterinary wholesale
 288 | distributor permit.—Unless engaging in the activities of and
 289 | permitted as a prescription drug manufacturer, nonresident
 290 | prescription drug manufacturer, prescription drug wholesale
 291 | distributor, or out-of-state prescription drug wholesale
 292 | distributor, a limited prescription drug veterinary wholesale
 293 | distributor permit is required for any person that engages in
 294 | the distribution in or into this state of veterinary
 295 | prescription drugs and prescription drugs subject to, defined
 296 | by, or described by s. 503(b) of the Federal Food, Drug, and
 297 | Cosmetic Act under the following conditions:

- 298 | 1. The person is engaged in the business of wholesaling
 299 | prescription and veterinary prescription drugs to persons:
- 300 | a. Licensed as veterinarians practicing on a full-time
 301 | basis;
 - 302 | b. Regularly and lawfully engaged in instruction in
 303 | veterinary medicine;
 - 304 | c. Regularly and lawfully engaged in law enforcement
 305 | activities;
 - 306 | d. For use in research not involving clinical use; or
 - 307 | e. For use in chemical analysis or physical testing or for
 308 | purposes of instruction in law enforcement activities, research,

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309 or testing.

310 2. No more than 30 percent of total annual prescription
311 drug sales may be prescription drugs approved for human use
312 which are subject to, defined by, or described by s. 503(b) of
313 the Federal Food, Drug, and Cosmetic Act.

314 3. The person does not distribute in any jurisdiction
315 prescription drugs subject to, defined by, or described by s.
316 503(b) of the Federal Food, Drug, and Cosmetic Act to any person
317 who is authorized to sell, distribute, purchase, trade, or use
318 these drugs on or for humans.

319 4. A limited prescription drug veterinary wholesale
320 distributor that applies to the department for a new permit or
321 the renewal of a permit must submit a bond of \$20,000, or other
322 equivalent means of security acceptable to the department, such
323 as an irrevocable letter of credit or a deposit in a trust
324 account or financial institution, payable to the Professional
325 Regulation ~~Florida Drug, Device, and Cosmetic~~ Trust Fund. The
326 purpose of the bond is to secure payment of any administrative
327 penalties imposed by the department and any fees and costs
328 incurred by the department regarding that permit which are
329 authorized under state law and which the permittee fails to pay
330 30 days after the fine or costs become final. The department may
331 make a claim against such bond or security until 1 year after
332 the permittee's license ceases to be valid or until 60 days
333 after any administrative or legal proceeding authorized in this
334 part which involves the permittee is concluded, including any
335 appeal, whichever occurs later.

336 5. A limited prescription drug veterinary wholesale

337 distributor must maintain at all times a license or permit to
 338 engage in the wholesale distribution of prescription drugs in
 339 compliance with laws of the state in which it is a resident.

340 6. A limited prescription drug veterinary wholesale
 341 distributor must comply with the requirements for wholesale
 342 distributors under ss. 499.0121 and 499.01212, except that a
 343 limited prescription drug veterinary wholesale distributor is
 344 not required to provide a pedigree paper as required by s.
 345 499.01212 upon the wholesale distribution of a prescription drug
 346 to a veterinarian.

347 7. A limited prescription drug veterinary wholesale
 348 distributor may not return to inventory for subsequent wholesale
 349 distribution any prescription drug subject to, defined by, or
 350 described by s. 503(b) of the Federal Food, Drug, and Cosmetic
 351 Act which has been returned by a veterinarian.

352 8. A limited prescription drug veterinary wholesale
 353 distributor permit is not required for an intracompany sale or
 354 transfer of a prescription drug from an out-of-state
 355 establishment that is duly licensed to engage in the wholesale
 356 distribution of prescription drugs in its state of residence to
 357 a licensed limited prescription drug veterinary wholesale
 358 distributor in this state if both wholesale distributors conduct
 359 wholesale distributions of prescription drugs under the same
 360 business name. The recordkeeping requirements of ss. 499.0121(6)
 361 and 499.01212 must be followed for this transaction.

362 Section 12. Subsection (13) of section 499.028, Florida
 363 Statutes, is amended to read:

364 499.028 Drug samples or complimentary drugs; starter

365 packs; permits to distribute.—

366 (13) The department may, pursuant to chapter 120, impose
 367 an administrative fine, not to exceed \$5,000 per violation per
 368 day, for the violation of this section or rules adopted under
 369 this section. Each day such violation continues constitutes a
 370 separate violation, and each such separate violation is subject
 371 to a separate fine. All amounts collected under this section
 372 shall be deposited into the Professional Regulation Drug,
 373 ~~Device, and Cosmetic~~ Trust Fund. In determining the amount of
 374 fine to be levied for a violation, the following factors must be
 375 considered:

376 (a) The severity of the violation.

377 (b) Any actions taken by the permittee to correct the
 378 violation or to remedy complaints.

379 (c) Any previous violations.

380 Section 13. Section 499.04, Florida Statutes, is amended
 381 to read:

382 499.04 Fee authority.—The department may collect fees for
 383 all drug, device, and cosmetic applications, permits, product
 384 registrations, and free-sale certificates. The total amount of
 385 fees collected from all permits, applications, product
 386 registrations, and free-sale certificates must be adequate to
 387 fund the expenses incurred by the department in carrying out
 388 this part. The department shall, by rule, establish a schedule
 389 of fees that are within the ranges provided in this section and
 390 shall adjust those fees from time to time based on the costs
 391 associated with administering this part. The fees are payable to
 392 the department to be deposited into the Professional Regulation

393 ~~Florida Drug, Device, and Cosmetic~~ Trust Fund for the sole
 394 purpose of carrying out ~~the provisions of~~ this part.

395 Section 14. Section 499.057, Florida Statutes, is amended
 396 to read:

397 499.057 Expenses and salaries.—Except as otherwise
 398 provided in the General Appropriations Act, all expenses and
 399 salaries shall be paid out of the Professional Regulation Trust
 400 Fund. ~~special fund hereby created in the office of the Chief~~
 401 ~~Financial Officer, which fund is to be known as the "Florida~~
 402 ~~Drug, Device, and Cosmetic Trust Fund."~~

403 Section 15. Paragraph (a) of subsection (2) of section
 404 499.062, Florida Statutes, is amended to read:

405 499.062 Seizure and condemnation of drugs, devices, or
 406 cosmetics.—

407 (2) Whenever a duly authorized officer or employee of the
 408 department finds cause, or has probable cause to believe that
 409 cause exists, for the seizure of any drug, device, or cosmetic,
 410 as set out in this part, he or she shall affix to the article a
 411 tag, stamp, or other appropriate marking, giving notice that the
 412 article is, or is suspected of being, subject to seizure under
 413 this part and that the article has been detained and seized by
 414 the department. Such officer or employee shall also warn all
 415 persons not to remove or dispose of the article, by sale or
 416 otherwise, until permission is given by the department or the
 417 court. Any person who violates this subsection is guilty of a
 418 felony of the second degree, punishable as provided in s.

419 775.082, s. 775.083, or s. 775.084.

420 (a) When any article detained or seized under this

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421 subsection has been found by the department to be subject to
 422 seizure and condemnation, the department shall petition the
 423 court for an order of condemnation or sale, as the court
 424 directs. The proceeds of the sale of drugs, devices, and
 425 cosmetics, less the legal costs and charges, shall be deposited
 426 into the Professional Regulation ~~Florida Drug, Device, and~~
 427 ~~Cosmetic~~ Trust Fund.

428 Section 16. Subsections (3) and (4) of section 499.066,
 429 Florida Statutes, are amended to read:

430 499.066 Penalties; remedies.—In addition to other
 431 penalties and other enforcement provisions:

432 (3) The department may impose an administrative fine, not
 433 to exceed \$5,000 per violation per day, for the violation of any
 434 provision of this part or rules adopted under this part. Each
 435 day a violation continues constitutes a separate violation, and
 436 each separate violation is subject to a separate fine. All
 437 amounts collected pursuant to this section shall be deposited
 438 into the Professional Regulation ~~Florida Drug, Device, and~~
 439 ~~Cosmetic~~ Trust Fund and are appropriated for the use of the
 440 department in administering this part. In determining the amount
 441 of the fine to be levied for a violation, the department shall
 442 consider:

- 443 (a) The severity of the violation;
- 444 (b) Any actions taken by the person to correct the
 445 violation or to remedy complaints; and
- 446 (c) Any previous violations.

447 (4) The department shall deposit any rewards, fines, or
 448 collections that are due the department and which derive from

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449 joint enforcement activities with other state and federal
 450 agencies which relate to this part, chapter 893, or the federal
 451 act, into the Professional Regulation ~~Florida Drug, Device, and~~
 452 ~~Cosmetic~~ Trust Fund. The proceeds of those rewards, fines, and
 453 collections are appropriated for the use of the department in
 454 administering this part.

455 Section 17. Subsection (7) of section 499.62, Florida
 456 Statutes, is amended to read:

457 499.62 License or permit required of manufacturer,
 458 distributor, dealer, or purchaser of ether.-

459 (7) A licensed or permitted facility shall renew its
 460 license or permit prior to its expiration date. If a renewal
 461 application and fee are not filed by the expiration date of any
 462 year, the permit may be reinstated only upon payment of a
 463 delinquent fee of \$50, plus the required renewal fee, within 30
 464 days after the date of expiration. If any person who is subject
 465 to the requirements of this part fails to comply with the
 466 renewal, the department shall have the authority to seize all
 467 ether products and dispose of them as of November 1 of the year
 468 the license or permit expires. Any funds collected from the
 469 disposal shall be placed in the Professional Regulation ~~Florida~~
 470 ~~Drug, Device, and Cosmetic~~ Trust Fund.

471 Section 18. Subsection (2) of section 499.72, Florida
 472 Statutes, is amended to read:

473 499.72 Administrative fines.-

474 (2) All such fines, monetary penalties, and costs received
 475 by the department in connection with this part shall be
 476 deposited in the Professional Regulation ~~Florida Drug, Device,~~

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477 ~~and Cosmetic~~ Trust Fund.

478 Section 19. Section 499.79, Florida Statutes, is amended
 479 to read:

480 499.79 Deposit of fees.—All fees collected for licenses
 481 and permits required by this part shall be deposited in the
 482 Professional Regulation Florida Drug, Device, and Cosmetic Trust
 483 Fund ~~created by s. 499.057,~~ and all moneys collected under ~~the~~
 484 ~~provisions of~~ this part and deposited in the ~~such~~ trust fund
 485 shall be used by ~~are hereby appropriated for the use of~~ the
 486 department in the administration of this part.

487 Section 20. Except as otherwise expressly provided in this
 488 act, this act shall take effect July 1, 2012.