

It is now a law in Brazil!

After 20 years, pharmacies are
now healthcare service units.



#recognizedpharmacists

*«Whatever you do, or dream you can, begin it.
Boldness has genius and power and magic in it.»*

Goethe

The Law 13.021/14, which came into force on August 11, changes the concept of pharmacy in Brazil: pharmacies and drugstores are no longer mere commercial establishments, but they are now pharmaceutical assistance provision units, providing healthcare assistance as well as individual and public sanitary orientation. The new law reasserts the obligatoriness of the pharmacists' permanent presence in the pharmacies, according to what the Law 5.991/73 had previously established. However, there is one thing new: the pharmacists' clinical performance is reinforced.

The project giving birth to this law had been under regimental proceedings for 20 years in the Brazilian National Congress, and 17 of which, in the House of Representatives (Câmara dos Deputados). When it was presented by the ex-senator Marluce Pinto, on the pretext of discussing the sanitary control over the commercialization of drugs, medicines, pharmaceutical inputs and related products, the Law Bill disregarded the sanitary risk. It revoked the mandatory presence of the pharmacists in drugstores, clearing the way for other professionals.

This offense against the health of citizens triggered the

attention of the pharmaceutical working class so as to reach out for the dream of instituting the concept of pharmacy as a healthcare service provision unit, as well as retrieving the pharmacists' role as patient care professionals.

In February this year, the pharmaceutical working class gathered in the National Forum for the Fight for the Pharmaceutical Professional Valorization, composed of representatives from the Federal Council of Pharmacy (CFF), National Federation of Pharmacists (Fenafar), Interstate Federation of Pharmacists (Feifar), Brazilian Association of Pharmaceutical Education (ABEF) and National executive committee of Pharmacy Students (Enefar).

The forum plunged itself body and soul into this challenge. Also, as cited by Johann Goethe, "the universe conspired to assist us": this dream is now a reality, which pharmacists, along with the cooperation of all the health service users, are to put into practice by demanding the law enforcement. The memory of this struggle is transcribed on the following pages.

Walter Jorge João

President of the Brazilian Federal Pharmacy Council (CFF)

NATIONAL FORUM FOR THE FIGHT FOR THE PHARMACEUTICAL PROFESSIONAL VALORIZATION



MEMORY OF THE STRUGGLE

Pharmacies as healthcare assistance units

03/01/1993

The senator Marluce Pinto presents the Law Bill 41/93, proposing a new wording to the article 15 of the Law 5991/1973, which regulates the sanitary control over the commercialization of drugs, medicines and pharmaceutical inputs. According to the proposition, the presence of pharmacists in pharmacies is no longer mandatory.



Senate Archive

12/15/1993

The Law Bill 41/93 is passed in the Federal Senate.

01/23/1994

The Law Bill 41/93 is presented in the House of Representatives as number 4385/94. The pharmaceutical entities gathered to debate the issue together with the deputies and tried to raise the awareness as to the need of voting against the matter at issue.



CRF-SP Archive

06/01/1996

A significant mobilization is organized by the federal and regional councils of pharmacy, federations, syndicates and student movements, in Brasilia, against the Law Bill Marluce Pinto. A petition containing more than 80 thousand signatures is taken to the National Congress.



10/25/1995

The rapporteur of the Law Bill 4385/94 in the Commission of Social and Family Security, the deputy Rita Camata presents the opposite view on the project, but her ideas are defeated. The Law Bill is submitted to the Commission of Consumer Protection, Environment and Minorities. (CDCMAM).

10/01/1997

In the Consumer Protection Commission (CDC), the deputy Ivan Valente is chosen rapporteur and presents his report as a substitutive emendation (substitutivo) of the Law Bill 4385/94. In the text, he advocates for the recognition of the true role of pharmacies. Thus, the movement and fight for the pharmacy to be considered a Health Establishment is born. His legal report is approved and is submitted to the next commission.





06/11/2008

The pharmaceutical entities carry out an act in Brasília. The leaderships are welcomed by the Minister of health, José Gomes Temporão and by the president of the House of the Representatives, Arlindo Chinaglia. The Parliamentary Front is launched in defense of the Pharmaceutical Assistance.

09/03/2009

The project's regimental proceedings come to an end in the House of Representatives.

2000 to 2008

The debate on pharmacies as health establishments heats up in the country. Various campaigns, hearings and public events take place and the matter is inserted in the agenda for debates of conferences, First National Conference on Sanitary Surveillance (2001), First National Conference on Medicines and Pharmaceutical Assistance (2003) and 13th National Conference on Health (2007). The substitutive emendation receives support. Various political leaderships stand out in defending the Law Bill in the Congress, like the deputies Ivan Valente, Alice Portugal and Vanessa Grazziotin (elected senator later on).



Fenafar Archive



Yosikazu Maeda

04/07/2010

The Parliamentary Front of Pharmaceutical Assistance is relaunched in the House of Representatives. The pharmaceutical entities request the necessary support for the approval of the deputy Ivan Valente's substitutive emendation. During the act, coordinated by the deputy Alice Portugal, the World Health Day is celebrated.



04/18/2000

The Commission of Constitution and Justice and Citizenship (CCJC) approves of Deputy José Ronaldo's report.

05/12/2010

A new manifestation takes place in Brasília, with more than 60 entities represented. The leaderships are welcomed by the minister of institutional regulations, Alexandre Padilha, and by the president of the House of Representatives, Michel Temer, who promises to put this project on the agenda.



04/18/2012

Directors of the Federal Council of Pharmacy and the directors of the regional pharmaceutical councils, together with representatives from Fenafar and Feifar meet with the senators in a meeting coordinated by the senator and pharmacist Vanessa Grazziotin, with the support of the senator Humberto Costa. Once again, the political support to Law Bills, which are the pharmaceutical working class subject matter is requested, for example, the support to the bill on pharmacy as a health establishment.



Yosikazu Ma

02/05-06/2014

In the beginning of his second term as the president of the CFF, Walter Jorge Jo puts into practice the ideas of the speech that he advocated for during all his f term. The council promotes, in Brasilia, a national meeting with the participati of all the entities of the Pharmacy Field. The goal is to identify and prioritize act strategies in favor of the flags defended by the pharmaceutical class (the ba salary of the pharmaceutical category, reduction in working hours, insertion of t pharmacist into the SUS (Unified Health System) and the exclusive career for t public sector). In the meeting, the National Forum for the Fight for t Pharmaceutical Professional Valorization, composed of CFF, Fenafar, ABEF a Enefar, was created with the mission to unify the struggle.

01/28/2012

In his first speech after taking office as the new president of the Federal Council of Pharmacy, Walter Jorge João reinforces the union of the pharmaceutical working class. «Only with the union of professional leaderships together with the representatives of the sector institutions will it be possible to overcome challenges, such as causing pharmacists to occupy the working spaces belonging to them.»



03/10/2014

In their first meeting, at the CFF headquarters, participants of the National Forum for the Fight for Pharmaceutical Professional Valorization draw strategies to meet the priorities, established during national meeting. The elaboration of a sub-amendment to the Law Bill 4385/94 and the search for its approval in the House of Representatives is now established.

MEMORY OF THE STRUGGLE

Pharmacies as healthcare assistance units



03/25/2014

In a meeting held in the auditorium of the CFF, the participants of the Forum, the council advisors and the representatives of the entities invited – Brazilian Society of Community Pharmacy (SBFC) – and the CFF representatives in the National Health Council elaborate a proposal of sub-amendment to the Law Bill 4385/94. The text is supported by the Brazilian Society of Hospital Pharmacy (Sbrafh), the Ministry of Health, the National Council of Health and the Forum of National Entities of Health Area Laborers (Fentas).

04/09/2014

The text proposed by the entities is submitted to the House of Representatives and starts to be largely diffused by the entities at the House of Representatives at the National Congress, in search for support.

06/04/2014

Leaderships of the Forum present to the president of the House of Representatives, Henrique Eduardo Alves, a copy of the sub-amendment endorsed by all the political party leaders of the House and request that the sub-amendment be submitted to voting.



05/14/2014

A new mobilization takes place with more than 1,8 thousand pharmacists and students at the Esplanada dos Ministérios, in Brasília, claiming for the approval of the sub-amendment to the Law Bill 4385/94. The voting ends up being postponed. Members of the Forum and leaderships from all over the country stay in Brasilia and start a pilgrimage walking from office to office in search for the support to submit the text to voting.



MEMORY OF THE STRUGGLE

Pharmacies as healthcare assistance units

06/10/2014

In spite of the supportize manifestation of the party leaderships, the president of the House of Representatives, Henrique Alves, determines that the insertion of the text into the voting agenda depends on the officialization of an agreement between the parts involved. The text is amended. On behalf of the pharmaceutical commerce, Sérgio Mena Barreto (Abrafarma) and Pedro Zidoi (ABCFarma) sign the text. The pharmaceutical leaderships, once again, promote a pilgrimage walking from office to office and succeed in having the agreement endorsed by all the party leaders at the House of Representatives. The list displayed here shows the register of some moments of this negotiation.



Pedro Zidoi (ABCFarma)



Leader of government, Henrique Fontana



Fernando Francischini (SD/PR)



Leonardo Quintão (PMDB/MG)

Yosikazu Maeda

07/02/2014

The House of Representatives passes the Law Bill 4385/94, respecting the text proposed by the pharmaceutical working class.



André Rodrigues



07/16/2014

It is time for the Senate to approve of the text, converted into PLS 41/93.

Yosikazu Maeda



On the same day, the Law Bill, which is now referred to as SCD 41/93, is approved unanimously in the Commission for Social Issues of the Senate.



08/08/2014

The president Dilma Rousseff sanctions the Law 13021/14, which represents a great victory for the pharmaceutical class and Brazilian population.

MEMORY OF THE STRUGGLE

Pharmacies as healthcare assistance units

08/13-14/2014

Meeting in Brasilia, participants of the National Forum for the Fight for the Pharmaceutical Professional Valorization and Parliamentary Commission of the CFF, besides the council advisors, propose amendments to alter the MP and ensure the full purport of the new law.

Yosikazu Maeda



For further reading,
check the texts of the
Law 13.021/14 and
MP 653/14, access the
website:
migre.me/l8Phw

08/11/2014

In one extra-ordinary edition of the Diário Oficial da União, the Law 13.021/14 is issued. The publication also encompasses the Provisional Measure (MP) 653/14. Within 45 days to come into force, the MP changes the article 6 of the new law, determining that pharmacies which are considered micro and small enterprises be ruled by the article 15 of the Law 5.991/73.

And the struggle continues...



**Conselho
Federal de
Farmácia**