

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**
4 **By: Senator Miles**

A Bill

SENATE BILL

For An Act To Be Entitled

8 "AN ACT TO REQUIRE THE POSTING OF THE NAMES AND PRICES OF
9 THE MOST FREQUENTLY PRESCRIBED PRESCRIPTION DRUGS AND
10 THEIR GENERIC EQUIVALENTS IN A CONSPICUOUS PLACE IN ANY
11 PHARMACY LICENSED TO DO BUSINESS IN THE STATE OF ARKANSAS;
12 AND FOR OTHER PURPOSES."

Subtitle

14 "AN ACT TO REQUIRE THE POSTING OF THE NAMES AND PRICES OF
15 THE MOST FREQUENTLY PRESCRIBED PRESCRIPTION DRUGS."
16

17
18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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20 SECTION 1. Any licensed pharmacy engaged in the sale of prescription
21 drugs will post in a conspicuous place a list of the most frequently
22 prescribed prescription drugs and the retail price of those drugs. The list
23 will be a compendium of no fewer than twenty (20) and more than forty (40) of
24 the most frequently prescribed drugs together with the usual quantity and
25 dosage for which a prescription is required. The posting will list the brand
26 name of the drug, the current retail price for a commonly prescribed quantity
27 and dosage, the generic equivalent of the drug, and the current retail price
28 of the generic equivalent.

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30 SECTION 2. The list will be conspicuously posted at the place in the
31 pharmacy where prescriptions are presented for compounding and dispensing.
32 The "current retail price" means the actual price to be paid by a retail
33 purchaser to the pharmacy for any listed drug at the listed quantity and
34 dosage. Nothing contained herein shall prevent a pharmacy from changing the
35 current retail price at any time, provided that the listed price is

1 simultaneously adjusted to reflect the new current retail price.

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3 SECTION 3. The list of the most frequently prescribed prescription
4 drugs will be determined by the Governor_s Advisory Council on Aging. The
5 list will be provided to the Arkansas State Board of Pharmacy for distribution
6 to all licensed pharmacies for conspicuous display where prescriptions are
7 presented for compounding and dispensing within thirty (30) days of receipt of
8 the list from the Governor_s Advisory Council on Aging. The list will be
9 updated annually by the Governor_s Advisory Council on Aging. The updated
10 list will be provided to the Arkansas State Board of Pharmacy for distribution
11 to all licensed pharmacies for conspicuous display within ten (10) days.

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13 SECTION 4. The Arkansas State Board of Pharmacy shall be responsible
14 for the enforcement of this act. Consumers may report violations of this act
15 by filing a written complaint to the Arkansas State Board of Pharmacy. In the
16 event the State Board of Pharmacy finds a pharmacist or pharmacy in violation
17 of this act, the board shall have the power to impose a penalty of five
18 hundred dollars (\$500) on the licensee or permit holder in lieu of a
19 suspension or revocation of a license or certificate. Upon imposition of this
20 penalty in lieu of suspension or revocation of a license or certificate, the
21 board shall have the power and authority to require the licensee or permit
22 holder to pay the penalty to the Arkansas State Board of Pharmacy with regard
23 to the violation with the sanction that the license or permit may be suspended
24 until the penalty is paid.

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26 SECTION 5. All provisions of this act of a general and permanent nature
27 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
28 Revision Commission shall incorporate the same in the Code.

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30 SECTION 6. If any provision of this act or the application thereof to
31 any person or circumstance is held invalid, such invalidity shall not affect
32 other provisions or applications of the act which can be given effect without
33 the invalid provision or application, and to this end the provisions of this
34 act are declared to be severable.

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1 SECTION 7. All laws and parts of laws in conflict with this act are
2 hereby repealed.