

INTERIM STUDY PROPOSAL 2019-186

State of Arkansas
92nd General Assembly
Second Extraordinary Session, 2020

A Bill

JMB/JMB
SENATE BILL

By: Senator Flippo

Filed with: Senate Committee on Public Health, Welfare, and Labor
pursuant to A.C.A. §10-3-217.

For An Act To Be Entitled

AN ACT TO AUTHORIZE PHARMACISTS TO PRESCRIBE AND
MONITOR MEDICATIONS; AND FOR OTHER PURPOSES.

Subtitle

TO AUTHORIZE PHARMACISTS TO PRESCRIBE AND
MONITOR MEDICATIONS.

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

SECTION 1. DO NOT CODIFY. Legislative findings and intent.

(a) The General Assembly finds that:

(1) On October 12, 2017, through Executive Order 13813, President Trump directed, to the extent consistent with the law, the facilitation of the development and operation of a healthcare system that provides high-quality care at affordable prices for the American people by promoting choice and competition;

(2) In response, the United States Department of Health and Human Services published a paper titled "Reforming America's Healthcare System Through Choice and Competition", which stated that healthcare markets could work more efficiently and Americans could receive more effective, high-value care if certain federal regulations and policies and state rules and policies that inhibit choice and competition were removed or revised;

(3) Federal law allows pharmacists to work either autonomously or collaboratively to manage all facets of a patient's disease or condition, including without limitation to prescribe and monitor both legend and non-

1 legend drug therapy;

2 (4) Within the United States Department of Veterans Affairs,
3 more than three thousand two hundred (3,200) pharmacists were credentialed
4 and accounted for more than five million (5,000,000) patient encounters and
5 prescribed over one million nine hundred thousand (1,900,000) prescriptions
6 in 2015;

7 (5) The United States Department of Veterans Affairs has
8 authorized pharmacists to prescribe and provide direct patient care for more
9 than twenty (20) years;

10 (6) Pharmacists with the United States Indian Health Service may
11 also practice at the top of their license under federal law;

12 (7)(A) Pharmacists with the United States Indian Health Service
13 fully apply their doctorate-level training and clinical knowledge and skills,
14 which include prescribing and monitoring drug therapy.

15 (B) Pharmacists with the United States Indian Health
16 Service have pioneered innovative advanced patient management services for
17 over thirty (30) years;

18 (8)(A) Pharmacists in Arkansas have also been prescribing and
19 monitoring drug therapy for the last thirty (30) years as authorized by
20 various hospital pharmacies, therapeutic committees, executive committees,
21 and other committees.

22 (B) Hospital pharmacists often engage in the prescription
23 of therapeutic substitutions, antibiotics for critically ill patients, renal
24 drugs for patients with kidney disease, and insulin, and total parental
25 nutrition management; and

26 (9) State law should be amended to allow pharmacists to safely
27 and effectively prescribe and monitor medications of patients.

28 (b) It is the intent of this act to authorize pharmacists to prescribe
29 and monitor medications.

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31 SECTION 2. Arkansas Code § 17-92-101(17)(A)(i)(b), concerning the
32 definition of "practice of pharmacy", is amended to read as follows:

33 (b) Except as limited by rules adopted by the
34 Arkansas State Board of Pharmacy, a pharmacist has the ability to administer,
35 prescribe, and monitor medications.
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Referred by Senator Flippo

Prepared by: JMB/JMB