

INTERIM STUDY PROPOSAL 2019-186

1
2 State of Arkansas
3 92nd General Assembly
4 Second Extraordinary Session, 2020

A Bill

JMB/JMB
SENATE BILL

5
6 By: Senator Flippo

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

9 **For An Act To Be Entitled**

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

12
13
14 **Subtitle**

15 TO AUTHORIZE PHARMACISTS TO PRESCRIBE AND
16 MONITOR MEDICATIONS.

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

20
21 SECTION 1. DO NOT CODIFY. Legislative findings and intent.

22 (a) The General Assembly finds that:

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

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

34 (3) Federal law allows pharmacists to work either autonomously
35 or collaboratively to manage all facets of a patient's disease or condition,
36 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.

30

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.

36

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36

Referred by Senator Flippo

Prepared by: JMB/JMB