

1 State of Arkansas  
2 91st General Assembly  
3 Regular Session, 2017  
4

*As Engrossed: S2/14/17*  
**A Bill**

SENATE BILL 162

5 By: Senators Bledsoe, L. Eads  
6 By: Representative Boyd  
7

**For An Act To Be Entitled**

9 AN ACT TO AMEND THE PROVISIONS OF ARKANSAS CODE  
10 CONCERNING THE PRACTICE OF PHARMACY; TO AUTHORIZE USE  
11 OF PHARMACISTS TO PROVIDE ACCESS TO AND  
12 ADMINISTRATION OF CERTAIN MEDICATIONS; TO AUTHORIZE  
13 DISPENSING OF CERTAIN MEDICATION BY PHYSICIANS; AND  
14 FOR OTHER PURPOSES.  
15

**Subtitle**

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17  
18 TO AMEND THE PROVISIONS OF ARKANSAS CODE  
19 CONCERNING THE PRACTICE OF PHARMACY; TO  
20 AUTHORIZE USE OF PHARMACISTS TO PROVIDE  
21 ACCESS TO AND ADMINISTRATION OF CERTAIN  
22 MEDICATIONS; AND TO AUTHORIZE DISPENSING  
23 OF CERTAIN MEDICATION BY PHYSICIANS.  
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25  
26 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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28 SECTION 1. Arkansas Code § 17-92-101(7), concerning the definition of  
29 "licensed pharmacist" within the laws concerning pharmacists and pharmacies,  
30 is amended to read as follows:

31 (7)(A) "Licensed pharmacist" means a person holding a license  
32 under the provisions of this chapter.

33 (B) A "licensed pharmacist" shall be considered an  
34 individual healthcare provider;  
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36 SECTION 2. The introductory language of Arkansas Code § 17-92-



1 101(16)(A) and Arkansas Code § 17-92-101(16)(A)(i), concerning the definition  
2 of "practice of pharmacy" within the laws concerning pharmacists and  
3 pharmacies, is amended to read as follows:

4 (16)(A) "Practice of pharmacy" means the ~~learned~~ healthcare  
5 provider profession of:

6 (i)(a) Dispensing, selling, distributing,  
7 transferring possession of, vending, bartering, or, in accordance with  
8 regulations adopted by the Arkansas State Board of Pharmacy, administering  
9 drugs, medicines, poisons, or chemicals that under the laws of the United  
10 States or the State of Arkansas may be sold or dispensed only on the  
11 prescription and order of a practitioner authorized by law to prescribe  
12 drugs, medicines, poisons, or chemicals.

13 (b) ~~Except in accordance with regulations~~  
14 ~~adopted by the Arkansas State Board of Pharmacy as recommended by the~~  
15 ~~Medications Administration Advisory Committee, the administration of~~  
16 ~~medications shall be limited to the following classifications of medications:~~  
17 ~~immunizations, vaccines, allergy medications, vitamins, minerals,~~  
18 ~~antihyperglycemics, and antinausea medications~~ Except as limited by rules  
19 adopted by the Arkansas State Board of Pharmacy, a pharmacist has the ability  
20 to administer medications.

21 (c) Influenza vaccines and influenza  
22 immunizations may be administered to a person seven (7) years of age and  
23 older under a general written protocol.

24 (d) Vaccines and immunizations other than  
25 influenza vaccines and influenza immunizations may be administered to a  
26 person from seven (7) years of age to eighteen (18) years of age under a  
27 patient-specific order or prescription and subject to reporting of the  
28 administration to the prescribing physician together with any reporting  
29 required under § 20-15-1203.

30 (e) Vaccines and immunizations other than  
31 influenza vaccines and influenza immunizations may be administered to a  
32 person eighteen (18) years of age or older under a general written protocol.

33 (f) Medications other than vaccines and  
34 immunizations may be administered to a person seven (7) years of age or older  
35 under a patient-specific order or prescription and subject to reporting of  
36 the administration to the prescribing physician.

1 (g) A general written protocol under  
2 subdivisions (16)(A)(i)(c) and (e) of this section and patient-specific  
3 orders or prescriptions under subdivisions (16)(A)(i)(d) and (f) of this  
4 section shall be from a physician licensed by the Arkansas State Medical  
5 Board and practicing in Arkansas or within fifty (50) miles of the Arkansas  
6 border.

7 (h) Pursuant to a statewide protocol, a  
8 pharmacist may initiate therapy and administer or dispense, or both,  
9 Naloxone;

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11 SECTION 3. Arkansas Code § 17-92-101, concerning definitions relating  
12 to pharmacists and pharmacies, is amended to add an additional subdivision to  
13 read as follows:

14 (24) "Statewide protocol" means a standardized procedure or  
15 protocol approved by the Arkansas State Board of Pharmacy and the Arkansas  
16 State Medical Board authorizing a pharmacist to initiate therapy and  
17 administer or dispense, or both, a drug or device.

18  
19 SECTION 4. Arkansas Code Title 17, Chapter 92, Subchapter 1, is  
20 amended to add an additional section to read as follows:

21 17-92-115. Requirements for administering and dispensing under a  
22 statewide protocol.

23 When initiating therapy and administering or dispensing, or both, under  
24 a statewide protocol, a pharmacist shall:

25 (1) Notify the primary care provider of the patient of any drug  
26 or device furnished to the patient or enter the appropriate information in a  
27 patient record system shared with the primary care provider, as permitted by  
28 the primary care provider;

29 (2) Provide the patient with a written record of the drugs or  
30 devices furnished and advise the patient to consult a physician of the  
31 patient's choice, if the patient does not have a primary care provider; and

32 (3)(A) Make a standardized fact sheet available to the recipient  
33 of the drug or device.

34 (B) The standardized fact sheet shall include without  
35 limitation:

36 (i) The indications and contraindications for the

- 1 use of the drug or device;
- 2 (ii) The appropriate method for the use of the drug
- 3 or device;
- 4 (iii) The need for medical follow-up; and
- 5 (iv) Other appropriate information.
- 6

7 SECTION 5. Arkansas Code § 17-95-102(d)(4), concerning physician  
8 dispensing of legend drugs, is amended to read as follows:

9 (4) A prescription for a topical medication, Naloxone, or  
10 contraceptives is exempt from subdivision (d)(3) of this section.

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12 */s/Bledsoe*

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15 **APPROVED: 02/28/2017**