

Hall of the House of Representatives

87th General Assembly - Regular Session, 2009

Amendment Form

Subtitle of House Bill No. 1997

"AN ACT TO ESTABLISH PROVISIONS OF LAW REGARDING THE DISTRIBUTION OF
DRUG SAMPLES."

Amendment No. 2 to House Bill No. 1997.

Amend House Bill No. 1997 as engrossed, H3/12/09 (version: 03-12-2009 10:45):

Page 1, delete line 21 through 36

AND

Delete pages 2 through 6 in their entirety

AND

Page 7, delete lines 1 and 2 and substitute the following:

SECTION 1. "Arkansas Code Title 4, Chapter 86, Subchapter 1 is amended to add an additional section to read as follows:

4-86-108. Distribution of drug samples.

(a) As used in this section:

(1) "Authorized distributors of record" means those distributors with whom a drug manufacturer has established an ongoing relationship to distribute the drug manufacturer's products;

(2) "Board" means the Arkansas State Board of Pharmacy;

(3) "Distribute" does not include the providing of a drug sample to a patient by a:

(A) Physician or practitioner licensed to prescribe the drug;

(B) Health care professional acting at the direction and under the supervision of a physician or practitioner; or

(C) Pharmacy that has been granted approval from the Arkansas State Board of Pharmacy to handle samples at the direction of a physician or practitioner and that received the sample under this subchapter;

(4) "Drug" includes all medicines and preparations recognized in the United States Pharmacopoeia or the National Formulary as substances intended to be used for the care, mitigation, or prevention of disease of either humans or other animals;

(5) "Drug sample" means a unit of a prescription drug that is not intended to be sold and is intended to promote the sale of the drug;



(6) "Licensed pharmacist" means a person holding a license under § 17-92, 101 et seq.;

(7) "Pharmacy" means the place licensed by the board in which drugs, chemicals, medicines, prescriptions, and poisons are compounded, dispensed, or sold at retail; and

(8) "Physician" means a practitioner of medicine licensed under the laws of this state or some other state.

(b) Except under subsections (c) and (d) of this section, a person"

AND

Page 8, delete lines 23 through 27 and substitute the following:

"(k) A drug manufacturer that distributes drug samples in the State of Arkansas shall have a policy for drug screening of an employee that distributes drug samples in this state."

The Amendment was read _____

By: Representative Hall
MGF/KSW - 03-18-2009 16:48
MGF347

Chief Clerk