A Bill

By: Representative Boyd

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

For An Act To Be Entitled

AN ACT TO AMEND THE DEFINITION OF "PRACTICE OF PHARMACY" TO AUTHORIZE A PHARMACIST TO INITIATE THERAPY AND ADMINISTER OR DISPENSE, OR BOTH, TOBACCO CESSATION PHARMACOTHERAPY; TO AUTHORIZE A PHYSICIAN TO ADMINISTER OR DISPENSE, OR BOTH, TOBACCO CESSATION PHARMACOTHERAPY; AND FOR OTHER PURPOSES.

Subtitle

TO AUTHORIZE A PHARMACIST TO INITIATE THERAPY AND ADMINISTER OR DISPENSE, OR BOTH, TOBACCO CESSATION PHARMACOTHERAPY; TO AUTHORIZED A PHYSICIAN TO ADMINISTER OR DISPENSE, OR BOTH, TOBACCO CESSATION PHARMACOTHERAPY.

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

SECTION 1. Arkansas Code § 17-92-101(16)(A)(i), concerning the definition of "practice of pharmacy", is amended to read as follows:

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

(b) Except as limited by rules adopted by the
Arkansas State Board of Pharmacy, a pharmacist has the ability to administer
medications.

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

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

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

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

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

(h) Pursuant to Under a statewide protocol, a
pharmacist may initiate therapy and administer or dispense, or both, drugs
that include Naloxone and tobacco cessation pharmacotherapy;

SECTION 2. Arkansas Code § 17-95-102(d)(4), concerning physician
dispensing of legend drugs, is amended to read as follows:

(4) A prescription for a topical medication, Naloxone, tobacco
cessation pharmacotherapy, or contraceptives is exempt from subdivision
(d)(3) of this section.
Referred by Representative Boyd
Prepared by: JMB/JMB