

INTERIM STUDY PROPOSAL 2017-139

State of Arkansas  
91st General Assembly  
Third Extraordinary Session, 2018

**A Bill**

JMB/JMB  
HOUSE 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 AUTHORIZE 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

1 the prescription and order of a practitioner authorized by law to prescribe  
2 drugs, medicines, poisons, or chemicals.

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

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

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

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

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

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

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

31  
32 SECTION 2. Arkansas Code § 17-95-102(d)(4), concerning physician  
33 dispensing of legend drugs, is amended to read as follows:

34 (4) A prescription for a topical medication, Naloxone, tobacco  
35 cessation pharmacotherapy, or contraceptives is exempt from subdivision  
36 (d)(3) of this section.

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Referred by Representative Boyd

Prepared by: JMB/JMB