

ARKANSAS SENATE
86th General Assembly - Regular Session, 2007
Amendment Form

Subtitle of Senate Bill No. 895

"AN ACT TO CREATE THE ARKANSAS PATIENT CHOICE ACT; TO ALLOW
ARKANSAS PATIENTS MORE CHOICE IN THEIR PRESCRIPTION DRUG BUYING
PURCHASES BY REGULATING THE DISPENSING OF PRESCRIPTION DRUGS BY
CERTAIN MEDICAL PROFESSIONALS."

Amendment No. 1 to Senate Bill No. 895.

Amend Senate Bill No. 895 as originally introduced:

Page 1, delete lines 10 through 14 and substitute the following:
"AN ACT TO STUDY THE CREATION OF THE ARKANSAS PATIENT CHOICE ACT; TO STUDY
METHODS FOR PROVIDING ARKANSAS PATIENTS MORE CHOICE IN THEIR PRESCRIPTION
DRUG BUYING PURCHASES BY REGULATING THE DISPENSING OF PRESCRIPTION DRUGS BY
CERTAIN MEDICAL PROFESSIONALS; AND FOR OTHER PURPOSES."

AND

Page 1, delete lines 17 through 22 and substitute the following:
"AN ACT TO STUDY THE CREATION OF THE ARKANSAS PATIENT CHOICE ACT; AND TO
PROVIDE ARKANSAS PATIENTS MORE CHOICE IN THEIR PRESCRIPTION DRUG PURCHASES."

AND

Delete everything after the ENACTING clause and substitute the following:

"Section 1. Purpose.

The purposes of this act are to:

(1) Study the practice of the dispensing of prescription drugs
by physicians and dentists including without limitation:

(A) The regulatory schemes in other states;

(B) The practices of Arkansas dentists who currently
dispense prescription drugs;

(C) The practices of companies that provide prepackaged
drugs; and

(D) A system of support for physicians and dentists within
a framework of safety and accountability;

(2) Develop an effective regulatory scheme that would protect
the public safety and ensure accountability in the drug distribution system;
and



(3) Study the parameters set forth in federal law in the Robinson-Patman Act that would limit the use of pharmacy permits by non-profit, tax exempt, or governmentally funded hospitals in Arkansas.

Section 2. Legislative Task Force on Patient Choice – Creation – Membership – Duties.

(a) The Legislative Task Force on Patient Choice is created to be composed of the following members:

(1)(A) Two (2) members of the Senate Interim Committee on Public Health, Welfare, and Labor appointed by the chair of the of the Senate Interim Committee on Public Health, Welfare, and Labor.

(B) The chair of the Senate Interim Committee on Public Health, Welfare, and Labor shall select one (1) of the two (2) members as the Senate cochair;

(2)(A) Two (2) members of the House Interim Committee on Public Health, Welfare, and Labor appointed by the chair of the committee.

(B) The chair shall select one (1) of the two (2) members as the House cochair;

(3) One (1) member as a representative of the Arkansas Dental Association;

(4) One (1) member as a representative of the Arkansas Medical Society;

(5) One (1) member as a representative of the Arkansas Pharmacy Association;

(6) One (1) member from a non-profit hospital as a representative of the Arkansas Hospital Association;

(7) One (1) member who represents a company that provides prepackaged prescription drugs for dispensing by doctors appointed by the President Pro Tempore of the Senate;

(8) One (1) consumer member appointed by the Speaker of the House of Representatives; and

(9) One (1) consumer member appointed by the Governor.

(b) The task force shall:

(1) Be appointed no later than July 1, 2007;

(2) Receive staff and clerical support from the Legislative Council; and

(3) Report its findings and regulatory plan to the Legislative Council by November 1, 2008.

(c) The task force shall be co-chaired by members selected as co-chairs by the chairs of the Senate and House Interim Committees on Public Health, Welfare and Labor.

(d)(1) A majority of the membership of the task force shall constitute a quorum.

(2) A majority vote of the members present shall be required for any action of the task force.

(e) Vacancies on the task force due to death, resignation, or other causes shall be filled in the same manner as is provided in this act for initial appointments.

(f) Task force meetings shall be held at the State Capitol and at other locations as designated by the task force chairs.

(g) Legislative members shall be entitled to reimbursement for expenses and per diem at the same rate and from the same source as provided

by law for members of the General Assembly attending meetings of interim committees.

SECTION 3. The task force shall expire on January 1, 2009."

The Amendment was read the first time, rules suspended and read the second time and _____

By: Senator Horn

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Secretary