

2 State of Arkansas

3 91st General Assembly

4 Third Extraordinary Session, 2018

A Bill

JMB/JMB

HOUSE BILL

5
6 By: Representative Boyd

7 Filed with: House Committee on Public Health, Welfare, and Labor

8 pursuant to A.C.A. §10-3-217.

9 For An Act To Be Entitled

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

16 17 18 Subtitle

19 TO AUTHORIZE A PHARMACIST TO INITIATE
20 THERAPY AND ADMINISTER OR DISPENSE, OR
21 BOTH, TOBACCO CESSATION PHARMACOTHERAPY;
22 TO AUTHORIZE A PHYSICIAN TO ADMINISTER OR
23 DISPENSE, OR BOTH, TOBACCO CESSATION
24 PHARMACOTHERAPY.

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26
27 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

28
29 SECTION 1. Arkansas Code § 17-92-101(16)(A)(i), concerning the
30 definition of "practice of pharmacy", is amended to read as follows:

31 (i)(a) Dispensing, selling, distributing,
32 transferring possession of, vending, bartering, or, in accordance with
33 ~~regulations~~ rules adopted by the Arkansas State Board of Pharmacy,
34 administering drugs, medicines, poisons, or chemicals that under the laws of
35 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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3 Referred by Representative Boyd
4 Prepared by: JMB/JMB
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