

INTERIM STUDY PROPOSAL 2019-159

1 State of Arkansas
2 92nd General Assembly
3 Second Extraordinary Session, 2020

A Bill

JMB/JMB
HOUSE BILL

4 By: Representatives Pilkington, McCollum
5 By: Senators B. Davis, T. Garner

6 Filed with: Arkansas Legislative Council
7 pursuant to A.C.A. §10-3-217.

For An Act To Be Entitled

8 AN ACT TO AMEND THE PROVISIONS OF THE ARKANSAS CODE
9 CONCERNING THE PRACTICE OF PHARMACY; TO AUTHORIZE
10 PHARMACISTS TO PROVIDE ACCESS TO AND ADMINISTRATION
11 OF ORAL CONTRACEPTIVES; AND FOR OTHER PURPOSES.

Subtitle

12 TO AMEND THE PROVISIONS OF THE ARKANSAS
13 CODE CONCERNING THE PRACTICE OF PHARMACY;
14 AND TO AUTHORIZE PHARMACISTS TO PROVIDE
15 ACCESS TO AND ADMINISTRATION OF ORAL
16 CONTRACEPTIVES.

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

18 SECTION 1. Arkansas Code § 17-92-101(17)(A)(i)(h), concerning the
19 definition of "practice of pharmacy" regarding pharmacists and pharmacies, is
20 amended to read as follows:

21 (h) Under a statewide protocol, a pharmacist
22 may initiate therapy and administer or dispense, or both, drugs that include
23 Naloxone, ~~and~~ nicotine replacement therapy products, and oral contraceptives;

24 SECTION 2. Arkansas Code § 17-92-115 is amended to read as follows:
25 17-92-115. Requirements for administering and dispensing under
26 statewide protocol.

1 (a) When initiating therapy and administering or dispensing, or both,
2 under a statewide protocol, a pharmacist shall:

3 (1) Notify the primary care provider of the patient of any drug
4 or device furnished to the patient or enter the appropriate information in a
5 patient record system shared with the primary care provider, as permitted by
6 the primary care provider;

7 (2) Provide the patient with a written record of the drugs or
8 devices furnished and advise the patient to consult a physician of the
9 patient's choice, if the patient does not have a primary care provider; and

10 (3)(A) Make a standardized fact sheet available to the recipient
11 of the drug or device.

12 (B) The standardized fact sheet shall include without
13 limitation:

14 (i) The indications and contraindications for the
15 use of the drug or device;

16 (ii) The appropriate method for the use of the drug
17 or device;

18 (iii) The need for medical follow-up; and

19 (iv) Other appropriate information.

20 (b)(1) In addition to the requirements under subsection (a) of this
21 section, when initiating therapy and administering or dispensing, or both,
22 oral contraceptives under a statewide protocol, a pharmacist shall:

23 (A) Complete a training program related to oral
24 contraceptives that has been approved by the Arkansas State Board of
25 Pharmacy; and

26 (B)(i) Screen a patient seeking oral contraceptives to
27 assess whether the patient has been seen by a primary care provider or
28 women's healthcare provider within the previous six (6) months.

29 (ii) If the patient has not been seen by a primary
30 care provider or women's healthcare provider within the previous six (6)
31 months, the pharmacist shall:

32 (a) Provide the patient with a referral to a
33 local primary care provider or women's healthcare provider; and

34 (b) Not dispense more than a six-month supply
35 of oral contraceptives or the equivalent number of refills to the patient

1 until the patient has been seen by a primary care provider or women's
2 healthcare provider.

3 (2) A pharmacist shall only initiate therapy and administer or
4 dispense, or both, oral contraceptives under a statewide protocol to an
5 individual who is eighteen (18) years of age or older.

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8 Referred by Representative Pilkington

9 Prepared by: JMB/JMB

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