

1 State of Arkansas
2 92nd General Assembly
3 Regular Session, 2019
4

A Bill

HOUSE BILL 1263

5 By: Representative Eaves
6

For An Act To Be Entitled

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

Subtitle

16
17 TO AUTHORIZE A PHARMACIST TO INITIATE
18 THERAPY AND ADMINISTER OR DISPENSE, OR
19 BOTH, CERTAIN TYPES OF TOBACCO CESSATION;
20 TO AUTHORIZE A PHYSICIAN TO ADMINISTER OR
21 DISPENSE, OR BOTH, CERTAIN TYPES OF
22 TOBACCO CESSATION.
23
24

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

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

29 (i)(a) Dispensing, selling, distributing,
30 transferring possession of, vending, bartering, or, in accordance with
31 ~~regulations~~ rules adopted by the Arkansas State Board of Pharmacy,
32 administering drugs, medicines, poisons, or chemicals that under the laws of
33 the United States or the State of Arkansas may be sold or dispensed only on
34 the prescription and order of a practitioner authorized by law to prescribe
35 drugs, medicines, poisons, or chemicals.
36

(b) Except as limited by rules adopted by the



1 Arkansas State Board of Pharmacy, a pharmacist has the ability to administer
2 medications.

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

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

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

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

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

25 (h) ~~Pursuant to~~ Under a statewide protocol, a
26 pharmacist may initiate therapy and administer or dispense, or both, drugs
27 that include Naloxone and nicotine replacement therapy products;
28

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

31 (4) A prescription for a topical medication, Naloxone, nicotine
32 replacement therapy products, or contraceptives is exempt from subdivision
33 (d)(3) of this section.
34

35 SECTION 3. DO NOT CODIFY. Tobacco cessation pharmacotherapy in a
36 pilot program through the Harding University.

1 A pharmacy or pharmacist that participates in a pilot program through
2 the College of Pharmacy of the Harding University in coordination with the
3 Department of Health may initiate therapy and administer or dispense tobacco
4 cessation pharmacotherapy under a statewide protocol.