

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

As Engrossed: H2/26/19

# A Bill

HOUSE BILL 1290

5 By: Representatives Pilkington, *Scott*  
6 By: Senators Hester, *Caldwell*  
7

## For An Act To Be Entitled

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

15 TO AMEND THE PROVISIONS OF THE ARKANSAS  
16 CODE CONCERNING THE PRACTICE OF PHARMACY;  
17 AND TO AUTHORIZE PHARMACISTS TO PROVIDE  
18 ACCESS TO AND ADMINISTRATION OF ORAL  
19 CONTRACEPTIVES.  
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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25 SECTION 1. Arkansas Code § 17-92-101(16)(A)(i)(h), concerning the  
26 definition of "practice of pharmacy" regarding pharmacists and pharmacies, is  
27 amended to read as follows:

28 (h) Pursuant to a statewide protocol, a  
29 pharmacist may initiate therapy and administer or dispense, or both, Naloxone  
30 and oral contraceptives;  
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32 SECTION 2. Arkansas Code § 17-92-115 is amended to read as follows:  
33 17-92-115. Requirements for administering and dispensing under  
34 statewide protocol.

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



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

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

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

10           (B) The standardized fact sheet shall include without  
11 limitation:

12                   (i) The indications and contraindications for the  
13 use of the drug or device;

14                   (ii) The appropriate method for the use of the drug  
15 or device;

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

17                   (iv) Other appropriate information.

18           (b)(1) When initiating therapy and administering and dispensing oral  
19 contraceptives under § 17-92-101(16)(A)(i)(h), a pharmacist shall:

20                   (A) Complete a training program related to oral  
21 contraceptives and approved by the Arkansas State Board of Pharmacy; and

22                   (B)(i) Screen a patient seeking oral contraceptives to  
23 assess whether the patient has been seen by a primary care practitioner or  
24 women's healthcare practitioner within the previous six (6) months.

25                   (ii) If the patient has not been seen by a primary  
26 care practitioner or women's healthcare practitioner within the previous six  
27 (6) months, the pharmacist shall:

28                           (a) Provide the patient with a referral to a  
29 local primary care practitioner or women's healthcare practitioner; and

30                           (b) Not dispense more than a six-month supply  
31 of oral contraceptives or the equivalent number of refills to the patient  
32 until the patient has a visit with a primary care practitioner or women's  
33 healthcare practitioner.

34           (2) A pharmacist shall only initiate therapy or administer and  
35 dispense oral contraceptives under § 17-92-101(16)(A)(i)(h) to an individual  
36 who is eighteen (18) years of age or older.

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*/s/Pilkington*