

1 State of Arkansas
2 94th General Assembly
3 Regular Session, 2023
4

A Bill

SENATE BILL 265

5 By: Senator J. Boyd
6 By: Representative Bentley
7

For An Act To Be Entitled

9 AN ACT TO CREATE THE HOSPITAL PHARMACY CONTINUITY OF
10 CARE ENDORSEMENT TO ALLOW LICENSED HOSPITALS TO
11 DISPENSE OUTPATIENT MEDICATIONS FOR CERTAIN PATIENTS;
12 TO CLARIFY THAT NONPROFIT HOSPITALS CAN DISPENSE
13 MEDICATIONS FOR OUTPATIENT USE FOR HOSPITAL EMPLOYEES
14 AND STUDENTS; AND FOR OTHER PURPOSES.
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Subtitle

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18 TO CREATE THE HOSPITAL PHARMACY
19 CONTINUITY OF CARE ENDORSEMENT TO ALLOW
20 HOSPITALS TO DISPENSE OUTPATIENT
21 MEDICATIONS FOR CERTAIN PATIENTS.
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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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26 SECTION 1. Arkansas Code Title 17, Chapter 92, Subchapter 4, is
27 amended to add an additional section to read as follows:

28 17-92-406. Hospital pharmacy continuity of care endorsement.

29 (a) The Arkansas State Board of Pharmacy may issue a hospital pharmacy
30 continuity of care endorsement to a healthcare organization that is licensed
31 as a hospital in this state and that has a hospital pharmaceutical services
32 permit.

33 (b) A hospital pharmacy continuity of care endorsement shall allow a
34 hospital to sell drugs and medications at retail for emergency room patients
35 or patients upon discharge from the hospital for off premises, personal use
36 in an outpatient setting for either a thirty-one (31) day supply or a single



1 commercially available package size that is used as a continuation of or
2 supplement to hospital or emergency room treatment.

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4 SECTION 2. Arkansas Code § 17-92-607(b), concerning the prohibition on
5 hospitals holding licensed pharmacy permits, is amended to read as follows:

6 (b)(1) ~~However, nothing contained in this section shall be construed~~
7 ~~to~~ this section does not prohibit any hospital having a direct or indirect
8 interest in or otherwise holding either directly or indirectly a permit
9 before March 28, 1975, from continuing to have an interest in or holding the
10 permit.

11 (2) ~~Nothing contained in this section shall be construed to~~ This
12 section does not prohibit any hospital so holding a permit before March 28,
13 1975, from receiving a renewal of the permit.

14 (3) This section does not prohibit dispensing drugs or
15 medications through a hospital pharmacy continuity of care endorsement or to
16 hospital employees and students.