

State of Arkansas  
92nd General Assembly  
Regular Session, 2019

As Engrossed: H2/20/19

# A Bill

HOUSE BILL 1263

By: Representative Eaves

## For An Act To Be Entitled

AN ACT TO AMEND THE DEFINITION OF "PRACTICE OF PHARMACY" TO AUTHORIZE A PHARMACIST TO INITIATE THERAPY AND ADMINISTER OR DISPENSE, OR BOTH, CERTAIN TYPES OF TOBACCO CESSATION; TO AUTHORIZE A PHYSICIAN TO ADMINISTER OR DISPENSE, OR BOTH, CERTAIN TYPES OF TOBACCO CESSATION; AND FOR OTHER PURPOSES.

### Subtitle

TO AUTHORIZE A PHARMACIST TO INITIATE THERAPY AND ADMINISTER OR DISPENSE, OR BOTH, CERTAIN TYPES OF TOBACCO CESSATION; TO AUTHORIZE A PHYSICIAN TO ADMINISTER OR DISPENSE, OR BOTH, CERTAIN TYPES OF TOBACCO CESSATION.

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

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

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

(b) Except as limited by rules adopted by the



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

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

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

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

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

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

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

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

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

*/s/Eaves*

**APPROVED: 4/2/19**