

State of Arkansas  
93rd General Assembly  
Regular Session, 2021

# A Bill

HOUSE BILL 1174

By: Representative Boyd

By: Senator Bledsoe

## For An Act To Be Entitled

AN ACT TO ELIMINATE THE NURSING HOME CONSULTANT  
PHARMACIST PERMIT AND THE DISEASE STATE MANAGEMENT  
CREDENTIAL; AND FOR OTHER PURPOSES.

## Subtitle

TO ELIMINATE THE NURSING HOME CONSULTANT  
PHARMACIST PERMIT AND THE DISEASE STATE  
MANAGEMENT CREDENTIAL.

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

SECTION 1. Arkansas Code § 17-92-101(2), concerning the definition of "credentialing" relating to pharmacists and pharmacies, is amended to read as follows:

(2) "Credentialing" means the issuance of or approval by the Arkansas State Board of Pharmacy of a credential issued to a pharmacist by an agency approved by the Arkansas State Board of Pharmacy certifying that the pharmacist has met the standards of competency established by the Arkansas State Board of Pharmacy for ~~disease state management or other~~ pharmacy services necessitating a credential;

SECTION 2. Arkansas Code § 17-92-108(a)(9), concerning fees charged by the Arkansas State Board of Pharmacy, is repealed.

~~(9)(A) The fee for issuance of and the reinstatement of a nursing home consultant pharmacist permit shall not exceed thirty five dollars (\$35.00).~~



~~(B) The fee for the renewal of a nursing home consultant pharmacist permit shall not exceed thirty five dollars (\$35.00) per year;~~

SECTION 3. Arkansas Code § 17-92-310(a)(1)(A), concerning failure to renew a license, permit, or credential with the Arkansas State Board of Pharmacy, is amended to read as follows:

(a)(1)(A) All retail pharmacy permits, out-of-state pharmacy permits, specialty pharmacy permits, ~~nursing home consultant pharmacist permits,~~ and pharmacist licenses shall expire on December 31 of the first odd-numbered year following the date of issuance.

SECTION 4. Arkansas Code § 17-92-310(b), concerning failure to renew a license, permit, or credential with the Arkansas State Board of Pharmacy, is amended to read as follows:

(b) The penalty for late payment of renewal for pharmacists, pharmacies, wholesaler/manufacturer of legend drugs and controlled substances, hospital, and institutional, ~~and nursing home consultant~~ permits shall be as listed in § 17-92-108, and if renewal remains unpaid ~~on~~ by April 1 of ~~any~~ the year, the license shall be void.

SECTION 5. Arkansas Code § 17-92-316(a) and (b), concerning credentials required for professional pharmacy services, are amended to read as follows:

(a)(1) The Arkansas State Board of Pharmacy may provide by rule for credentialing and approval of pharmacists to practice ~~disease state management and any other~~ pharmacy services determined by the board to require a credential.

(2)(A) The credentials may be issued by agencies approved by the board to pharmacists who qualify ~~pursuant to~~ as a result of meeting the minimum competencies, standards, objectives, and qualifications determined by the board.

(B) However, a credential shall not authorize the pharmacist to practice credentialed pharmacy ~~service~~ services in Arkansas until after the board has determined that the credentialed pharmacist meets the minimum competencies, standards, objectives, and qualifications determined by the board.

(b) The board shall adopt rules necessary and appropriate to implement the credentialing and the board's approval of pharmacists to practice ~~disease state management and other~~ credentialed pharmacy services, including:

- (1) Identification of areas of credentialed pharmacy services;
- (2) Identification of the minimum competencies, standards, objectives, and qualifications necessary for a credential and the board's approval to practice in each area of credentialed pharmacy service;
- (3) Identification of the standards for qualifying an agency to issue credentials for areas of pharmacy services;
- (4) The procedure and standards, which may include a practical examination, for the board's review and approval of a credential and determination of a pharmacist's qualifications to practice ~~disease state management or other~~ credentialed pharmacy ~~service~~ services;
- (5) The conversion of a credential previously issued by the board for the practice of ~~disease state management or other~~ pharmacy ~~service~~ services to a credential issued by an approved credentialing agency; and
- (6) Continuing professional education and other measures to maintain pharmacists' continuing competency in ~~disease state management and other~~ credentialed pharmacy services.

SECTION 6. Arkansas Code § 17-92-412 is amended to read as follows:

17-92-412. Nursing home consultant ~~permit~~ pharmacist.

(a)(1) ~~The Arkansas State Board of Pharmacy shall provide for the issuance of nursing home consultant permits by rule.~~

(2) ~~The A nursing home consultant pharmacist-in-charge and the nursing home administrator shall be jointly responsible to ensure that a valid permit pharmacist license is posted at the facility at all times.~~

(b) The ~~board~~ Arkansas State Board of Pharmacy shall set by rule the standards by which the controlled and legend drugs and devices will be maintained in the nursing home or long-term care facility.

(c) The consultant ~~pharmacist-in-charge~~ pharmacist, in conjunction with the nursing home administrator and director of nurses, shall ensure the proper control and accountability, storage, and proper utilization of drugs and other legend devices dispensed to patients residing in the facility according to board standards as well as ~~those~~ standards established by state and federal guidelines

**APPROVED: 2/4/21**