

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
91st General Assembly
Regular Session, 2017

As Engrossed: S2/14/17
A Bill

SENATE BILL 162

By: Senators Bledsoe, L. Eads

By: Representative Boyd

For An Act To Be Entitled

AN ACT TO AMEND THE PROVISIONS OF ARKANSAS CODE
CONCERNING THE PRACTICE OF PHARMACY; TO AUTHORIZE USE
OF PHARMACISTS TO PROVIDE ACCESS TO AND
ADMINISTRATION OF CERTAIN MEDICATIONS; TO AUTHORIZE
DISPENSING OF CERTAIN MEDICATION BY PHYSICIANS; AND
FOR OTHER PURPOSES.

Subtitle

TO AMEND THE PROVISIONS OF ARKANSAS CODE
CONCERNING THE PRACTICE OF PHARMACY; TO
AUTHORIZE USE OF PHARMACISTS TO PROVIDE
ACCESS TO AND ADMINISTRATION OF CERTAIN
MEDICATIONS; AND TO AUTHORIZE DISPENSING
OF CERTAIN MEDICATION BY PHYSICIANS.

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

SECTION 1. Arkansas Code § 17-92-101(7), concerning the definition of "licensed pharmacist" within the laws concerning pharmacists and pharmacies, is amended to read as follows:

(7)(A) "Licensed pharmacist" means a person holding a license under the provisions of this chapter.

(B) A "licensed pharmacist" shall be considered an individual healthcare provider;

SECTION 2. The introductory language of Arkansas Code § 17-92-



101(16)(A) and Arkansas Code § 17-92-101(16)(A)(i), concerning the definition of "practice of pharmacy" within the laws concerning pharmacists and pharmacies, is amended to read as follows:

(16)(A) "Practice of pharmacy" means the ~~learned~~ healthcare provider profession of:

(i)(a) Dispensing, selling, distributing, transferring possession of, vending, bartering, or, in accordance with regulations 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 in accordance with regulations adopted by the Arkansas State Board of Pharmacy as recommended by the Medications Administration Advisory Committee, the administration of medications shall be limited to the following classifications of medications: immunizations, vaccines, allergy medications, vitamins, minerals, antihyperglycemics, and anti-nausea medications~~ 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 a statewide protocol, a pharmacist may initiate therapy and administer or dispense, or both, Naloxone;

SECTION 3. Arkansas Code § 17-92-101, concerning definitions relating to pharmacists and pharmacies, is amended to add an additional subdivision to read as follows:

(24) "Statewide protocol" means a standardized procedure or protocol approved by the Arkansas State Board of Pharmacy and the Arkansas State Medical Board authorizing a pharmacist to initiate therapy and administer or dispense, or both, a drug or device.

SECTION 4. Arkansas Code Title 17, Chapter 92, Subchapter 1, is amended to add an additional section to read as follows:

17-92-115. Requirements for administering and dispensing under a statewide protocol.

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

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

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

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

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

(i) The indications and contraindications for the

use of the drug or device;

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

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

(iv) Other appropriate information.

SECTION 5. 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, or
contraceptives is exempt from subdivision (d)(3) of this section.

/s/Bledsoe