

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

State of Arkansas
93rd General Assembly
Regular Session, 2021

A Bill

SENATE BILL 176

By: Senator D. Wallace
By: Representative Bragg

For An Act To Be Entitled

AN ACT TO ALLOW PHARMACISTS TO TREAT CERTAIN HEALTH
CONDITIONS; AND FOR OTHER PURPOSES.

Subtitle

TO ALLOW PHARMACISTS TO TREAT CERTAIN
HEALTH CONDITIONS.

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

SECTION 1. DO NOT CODIFY. Purpose.

It is the purpose of this act to authorize pharmacists in Arkansas to test and screen for health conditions that the Centers for Medicare and Medicaid Services has determined qualify for a waiver under the federal Clinical Laboratory Improvement Amendments of 1988, the federal regulations adopted, or any established screening procedures that can safely be performed by a pharmacist.

SECTION 2. Arkansas Code § 17-92-101(17)(A)(x), concerning the definition of "practice of pharmacy", is amended to read as follows:

(x)(a) Providing pharmacy care;~~and.~~

(b) A pharmacist may treat the following conditions within the framework of a written protocol:

(1) Influenza;

(2) Pharyngitis caused by streptococcus

A;

(3) Lice;



(4) Skin conditions, such as ringworm, insect bites, and athlete's foot;
(5) Cold sores;
(6) Allergic rhinitis;
(7) Motion sickness; and
(8) Medication required for travel including antimalarial prescription.

(c) A pharmacist shall only treat conditions for which the pharmacist has tested and that are approved under this subdivision (17)(A)(x)(c).

(d)(1) The Arkansas State Board of Pharmacy, with consultation with the Arkansas State Medical Board, shall adopt by rule a formulary of medicinal drugs that a pharmacist may prescribe for treatment of conditions approved under this subdivision (17)(A)(x)(d) and an accompanying treatment protocol.

(2) The formulary shall include medicinal drugs approved by the United States Food and Drug Administration which are indicated for treatment of these conditions, including without limitation any over-the-counter medication.

(3) The formulary shall not include any controlled substance in Schedule I-IV or 21 U.S.C. § 812, as existing on January 1, 2021; and

SECTION 3. Arkansas Code Title 17, Chapter 92, Subchapter 1, is amended to add an additional section to read as follows:

17-92-118. Point-of-care treatment.

A pharmacist who tests for conditions under § 17-92-101(17)(A)(x) shall:

- (1) Hold a license to practice pharmacy in this state;
- (2) Report a diagnosis or suspected existence of influenza to the Department of Health;
- (3) Furnish patient records to a healthcare practitioner designated by the patient upon the request of the patient; and
- (4) Maintain records of all patients receiving services under this section for two (2) years.

SECTION 4. DO NOT CODIFY. Effective date.

This act takes effect on and after January 1, 2022.