

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

State of Arkansas  
94th General Assembly  
Regular Session, 2023

As Engrossed: S2/20/23  
**A Bill**

SENATE BILL 265

By: Senator J. Boyd  
By: Representative Bentley

### **For An Act To Be Entitled**

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

### **Subtitle**

TO CREATE THE HOSPITAL PHARMACY CONTINUITY OF CARE ENDORSEMENT TO ALLOW HOSPITALS TO DISPENSE OUTPATIENT MEDICATIONS FOR CERTAIN PATIENTS.

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

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

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

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

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



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

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

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

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

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

*/s/J. Boyd*