

FILED MAR 1 1972

SENATE FILE 1192

By COMMITTEE ON LAW ENFORCEMENT

Passed Senate, Date 3-14-72 Passed House, Date 3-23-72
Vote: Ayes 47 Nays 0 Vote: Ayes 78 Nays 5
Approved _____

A BILL FOR

1 An Act relating to the control of dangerous substances and
2 the board of pharmacy.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

1 Section 1. Chapter one hundred forty-eight (148), section
2 two hundred six (206), Acts of the Sixty-fourth General As-
3 sembly, First Session, is amended by adding the following
4 new subsection:

5 "Unless listed in another schedule, any material, compound,
6 mixture, or preparation which contains any quantity of the
7 following substances having a potential for abuse associated
8 with a stimulant effect on the central nervous system:

- 9 a. Amphetamine, its salts, optical isomers, and salts
- 10 of its optical isomers.
- 11 b. Methamphetamine, its salts, and salts of its isomers.
- 12 c. Phenmetrazine and its salts.
- 13 d. Methylphenidate."

14 Sec. 2. Chapter one hundred forty-eight (148), section
15 two hundred eight (208), Acts of the Sixty-fourth General
16 Assembly, First Session, is amended by striking subsection
17 two (2).

18 Sec. 3. Section one hundred forty-seven point eighty
19 (147.80), subsection one (1), Code 1971, is amended to read
20 as follows:

21 1. For a license to practice dentistry ~~or-pharmacy~~, issued
22 upon the basis of an examination given by the dental examiners
23 ~~or-board-of-pharmacy-examiners~~, twenty-five dollars or, issued
24 under a reciprocal agreement, fifty dollars. For a license
25 to practice pharmacy issued upon the basis of an examination
26 given by the board of pharmacy examiners, fifty dollars or,
27 issued under a reciprocal agreement, seventy-five dollars.

28 Sec. 4. Section one hundred forty-seven point ninety-eight
29 (147.98), Code 1971, is amended to read as follows:

30 147.98 SECRETARY OF PHARMACY EXAMINERS. The pharmacy
31 examiners shall have the right to employ a full-time secre-
32 tary, who shall not be a member of the examining board, at
33 such compensation as may be fixed ~~from-time-to-time-in-the~~
34 biennial-salary-aet pursuant to chapter 19A and but the
35 provisions of section 147.22 providing for a secretary for

1 each examining board shall not apply to the pharmacy examiners.

2 Sec. 5. Section one hundred fifty-five point three (155.3),
3 subsections five (5) and six (6), Code 1971, are amended to
4 read as follows:

5 5. The term "wholesaler" shall mean any person operating
6 or maintaining a manufacturing plant, wholesale distribution
7 center, wholesale business or any other business in which
8 drugs, medicinal chemicals, medicines or poisons, are sold,
9 manufactured, compounded, dispensed, stocked, exposed or of-
10 fered for sale at wholesale ~~to a pharmacy in this state~~.

11 The term "wholesaler" shall not include those wholesalers
12 who sell only the products defined in subsection 7.

13 6. The term "wholesale salesman" includes any individual
14 who takes a purchase order ~~from a pharmacy in this state~~ for
15 any prescription drug, medicinal chemical, medicines or
16 poisons. The term "wholesale salesman" shall not apply to
17 those salesmen who sell only the products defined in subsec-
18 tion 7.

19 Sec. 6. Section one hundred fifty-five point three (155.3),
20 subsection ten (10), Code 1971, is amended to read as follows:

21 10. "Prescription drug" means (a) any drug or medicine
22 the label of which is required by federal law to bear the
23 statement: "Caution: federal law prohibits dispensing with-
24 out a prescription", (b) any drug, device as defined in
25 subsection 4 of section 203A.2, or medicine which, because
26 of its toxicity or other potentiality for harmful effect,
27 or the method of its use, or the collateral measures neces-
28 sary to its use, is not safe for use except under the super-
29 vision of a practitioner as defined in subsection 22 of section
30 101 of chapter 148, Acts of the Sixty-fourth General Assembly,
31 First Session, licensed by law to prescribe, administer, or
32 dispense such drug, device or medicine, or (c) a new drug
33 or medicine which is limited under state law to use under
34 the professional supervision of a practitioner licensed by
35 law to prescribe, administer, or dispense such drug or

1 medicine.

2 Sec. 7. Section one hundred fifty-five point five (155.5),
3 subsection four (4), Code 1971, is amended to read as follows:

4 4. File proof, satisfactory to the board, of ~~a minimum~~
5 ~~of one-year~~ practical experience in a pharmacy for a period
6 of time not exceeding one year as fixed by the board of
7 pharmacy examiners, substantiated by proper affidavits; said
8 experience to be under the supervision of a licensed pharmacist
9 ~~and not concurrent with time of college attendance.~~

10 Sec. 8. Section one hundred fifty-five point nine (155.9),
11 Code 1971, is amended to read as follows:

12 155.9 APPROVED COLLEGES. No college of pharmacy shall
13 be approved by the pharmacy examiners ~~as a college of~~
14 ~~recognized standing~~ unless the ~~entrance and graduation~~
15 ~~requirements are equivalent to those prescribed~~ college is
16 accredited by the American ~~association of colleges of pharmacy~~
17 council on pharmaceutical education.

18 EXPLANATION

19 The bill reschedules some drugs currently listed in the
20 Controlled Substances Act and will make the Iowa law uniform
21 with federal. It requires the licensing of distributors who
22 sell to other health professionals and health care institutions
23 exclusively and places the secretary of pharmacy examiners
24 under the merit system. Also the bill increases the fees
25 for a license to practice pharmacy. It adds the requirement
26 that the applicant be a citizen of the United States and
27 enables the board of pharmacy examiners by rule to adopt a
28 more flexible period of practical experience requirements.
29
30
31
32
33
34
35

Senate

1 Amend Senate File 1192, page 4, by adding after line 17
2 the following new section:
3 "Sec. ____ . This Act, being deemed of immediate importance,
4 shall take effect and be in force from and after its publica-
tion
5 in the Times-Democrat, a newspaper published in Davenport,
6 Iowa, and in the Lee Town News, a newspaper published in Des
7 Moines, Iowa."

Filed - *Amended Senate File 1192* By THORSEN and GAUDINEER
March 7, 1972

1 Amend Senate File 1192 as follows:
2 1. Page 3, line 8, by inserting before the word "drugs"
3 the word "prescription".
4 2. Page 3, line 12, by adding after the period the following:
5 "Nothing contained in this subsection shall in any way affect
6 the exemptions provided in section one hundred fifty-five point
7 twenty-five (155.25) of the Code."
8 3. Page 3, line 18, by adding after the period the following:
9 "Nothing contained in this subsection shall in any way affect
10 the exemptions provided in section one hundred fifty-five point
11 twenty-five (155.25) of the Code."

Filed - *Amended Senate File 1192* By STEPHENS
March 8, 1972

1 Amend Senate File 1192 as follows:
2 1. Page 3, lines 24 and 25, by striking the words
3 ", device as defined in subsection 4 of section 203A.,".
4 2. Page 3, line 32, by striking the word ", device".

Filed - *Amended Senate File 1192* By CONKLIN
March 9, 1972

1 Amend Senate File 1192 as follows:
2 1. Page 3, by striking all of lines 19 through 35.
3 2. Page 4, by striking all of line 1.
4 3. Renumber the remaining sections to conform to this
5 amendment.

Filed - *Amended Senate File 1192* By GAUDINEER, CONKLIN and THORSEN
March 10, 1972