

February 22, 1967
Public Health and
Welfare *Pass 4-13*
Public Health 5-3, Pass 5-9

House File 224
By JOHNSTON, BAILEY, SORG
and VOORHEES

Passed House, Date 5-1-67 Passed Senate, Date 6-7-67
Vote: Ayes 94 Nays 0 Vote: Ayes 43 Nays 0

Approved _____

*Passed House
as amended by
Senate 6-14
110-0*

A BILL FOR

An Act relating to pharmacy.

Be It Enacted by the General Assembly of the State of Iowa:

1 Section 1. Section one hundred fifty-five point one
2 (155.1), Code 1966, is hereby amended by striking from line
3 three (3) of subsection one (1) the words "at retail".

1 Sec. 2. Section one hundred fifty-five point three
2 (155.3), Code 1966, is hereby amended as follows:

3 1. By striking subsection two (2) of such section and
4 inserting in lieu thereof the following:

5 "'Pharmacy' means every store or other place of business
6 where prescription drugs are compounded, dispensed, or sold
7 by a pharmacist and where prescription orders for prescrip-
8 tion drugs are received or processed in accordance with the
9 pharmacy laws and regulations of this state."

10 2. By striking from line eight (8) of subsection five
11 (5) of such section the words "retailer for resale" and
12 inserting in lieu thereof the word "pharmacy".

13 3. By striking lines one (1) through five (5) of subsec-
14 tion six (6) of such section and inserting in lieu thereof
15 the following:

16 "The term 'wholesale salesman' includes any individual who
17 takes a purchase order from a pharmacy in this state for any
18 prescription drug, medicinal chemical, medicines or poisons."

19 4. By striking subsection nine (9) of such section and
20 inserting in lieu thereof the following:

21 "'Prescription' means a written order, or an oral order
22 later reduced to writing, of a medical practitioner for a
23 prescription drug or medicine."

24 5. By adding thereto the following new subsection:

25 "'Medical practitioner' means a physician, dentist, veter-
26 inarian, or any other person authorized by law to treat sick
27 and injured humans or animals in this state and to use pre-
28 scription drugs in such treatment."

1 Sec. 3. Section one hundred fifty-five point ten
2 (155.10), Code 1966, is hereby amended by striking from line
3 four (4) the word "retail".

1 Sec. 4. Section one hundred fifty-five point twelve
2 (155.12), Code 1966, is hereby amended as follows:

3 1. By inserting in line six (6) after the word "by" the
4 words "the pharmacist-".

5 2. By striking from line eleven (11) the word "retail".

6 3. By striking lines twenty (20) through twenty-six (26)
7 and inserting in lieu thereof the following:

8 "Each license shall be issued only for the premises and to
9 the persons named in the application and shall not be trans-
10 ferred or assigned. If a corporation or other business asso-
11 ciation licensee elects to change or replace the pharmacist-
12 manager within an annual registration period, a new license
13 shall be obtained from the board without additional fee.

14 "1. The application for a pharmacy license shall contain
15 the following:

16 "a. The name of the pharmacist-owner.

17 "b. The name of each pharmacist employed at the pharmacy
18 at the time the application is made.

19 "c. The trade or corporate name of the pharmacy.

20 "2. Every pharmacist shall immediately notify the board of
21 any change of his address or employment.

22 "3. As used in this section, 'pharmacist-owner' means:

23 "a. The pharmacist-owner if the pharmacy is a single
24 proprietorship.

25 "b. The pharmacist-owners if the pharmacy is a partnership.

26 "c. The pharmacist-manager if the pharmacy is a corporate
27 entity or any other business association not owned by a
28 pharmacist, and shall include an enumeration of the names
29 of all unlicensed owners, including corporate officers."

1 Sec. 5. Section one hundred fifty-five point thirteen
2 (155.13), Code 1966, is hereby amended by striking lines five
3 (5) through seven (7).

1 Sec. 6. Section one hundred fifty-five point seventeen
2 (155.17), Code 1966, is hereby amended by striking from line
3 three (3) the word "retail".

1 Sec. 7. Section one hundred fifty-five point eighteen
2 (155.18), Code 1966, is hereby amended as follows:

3 1. By striking from line two (2) the word "retail".

4 2. By striking from lines one (1) and two (2) of subsec-
5 tion two (2) of such section the words "one-fourth grain" and
6 inserting in lieu thereof the words "ten (10) milligrams".

1 Sec. 8. Section one hundred fifty-five point twenty-one
2 (155.21), Code 1966, is hereby amended by striking all of such
3 section after the words "to any" in line four (4) and insert-
4 ing in lieu thereof the following:

5 "pharmacy in this state unless such pharmacy is licensed
6 under this chapter."

1 Sec. 9. Section one hundred fifty-five point twenty-eight
2 (155.28), Code 1966, is hereby amended by striking from line
3 eight (8) the word "retail".

1 Sec. 10. Chapter one hundred fifty-five (155), Code 1966,
2 is hereby amended by adding thereto the following new section:

3 "Each prescription issued or filled in this state:

4 "1. If written, shall contain:

5 "a. The date of issue

6 "b. The name and address of the patient for whom, or the
7 owner of the animal for which, the drug is dispensed.

8 "c. The name and quantity of the drug or medicine pre-
9 scribed.

- 10 "d. The directions for use of the drug or medicine.
11 "e. The name, address, and signature of the medical prac-
12 titioner issuing the prescription.
13 "2. If oral, the medical practitioner issuing the prescrip-
14 tion shall furnish the same information required for a written
15 prescription, except for the written signature of the medical
16 practitioner. Upon receipt of an oral prescription, the phar-
17 macist shall promptly reduce the oral prescription to writing
18 by recording the information required in a written prescrip-
19 tion."

1 Sec. 11. Chapter one hundred fifty-five (155), Code 1966,
2 is hereby amended by adding thereto the following new section:

3 "No prescription for any prescription drug shall be filled
4 or refilled more than one (1) year after the date on which the
5 prescription was issued, and no prescription which is authorized
6 to be refilled shall be refilled more than eleven (11) times;
7 provided however, no medical practitioner shall be prohibited
8 from issuing a new prescription for the same drug either in
9 writing or orally."

EXPLANATION

This bill provides new definitions consistent with other sections of the Code; places a limitation on prescription refilling; and also rests the responsibility for the legal conduct of a pharmacy upon the pharmacist.

1 Amend House File 224 as follows:

2 1. Section 2, by striking from line nine (9) the words "and
3 regulations of this State".

4 2. Section 2, by striking from line twenty-seven (27) the
5 words "in
6 this State".

7 3. Section 4, by striking from lines ten (10) and eleven (11)
8 the
9 word "association" and inserting in lieu thereof the word "entity".

10 4. Section 4, by striking all of lines twenty-six (26) through
11 twenty-nine (29) and inserting in lieu thereof the following:

12 "c. The pharmacist-manager, if the pharmacy is a corporate
13 entity or any other business entity not owned by a pharmacist,
and
officers
shall include an enumeration of the names of all corporate
and members of the board of directors."

Filed - adopted 5-1
April 13, 1967

COMMITTEE ON PUBLIC HEALTH AND
WELFARE.

1 Amend House File 224 as follows:

2 1. By adding in line six (6) of section eleven (11)
3 after the word "times" the words ", except when otherwise
4 ordered by the practitioner on the original prescription".

Filed and adopted
May 1, 1967

DISTELHORST of Des Moines.

1 Amend House File 224 as follows:

2 By adding the following new section:

3 "Sec. 12. Unless the prescription indicates to the contrary, the
4 label of any drug sold and dispensed on the prescription of a
5 licensed physician or dentist shall include the name and strength
6 of the drug."

As Adopted by the Senate

House Concurred 6-14

Senate

- 1 Amend House File 224 as follows:
- 2 Amend section ten (10) by inserting in line eight (8) after
- 3 the word "The", the word "generic".

Filed - *Withdrawn 6-7*
May 9, 1967

By REPERT

- 1 House File 224 is hereby amended by striking from
- 2 section ten (10), subsection one (1), paragraph c., the
- 3 word "name" and inserting in lieu thereof the words
- 4 "generic name, or the equivalent official name as listed
- 5 by the United States pharmacopoeia".

Filed - *Withdrawn 6-8*
May 22, 1967

By MURRAY

- 1 Amend House File 224 as follows:
- 2 1. By adding the following new section:
- 3 "Sec. 12. "Unless the prescription indicates to the con-
- 4 the label of any drug sold and dispensed on the prescription
- 5 of a licensed physician or dentist shall include the name and
- 6 strength of the drug."

Filed - *Adopted 6-7*
June 2, 1967

By REPERT and MURRAY