

Senate File 2156 - Introduced

SENATE FILE 2156
BY COMMITTEE ON HUMAN
RESOURCES

(SUCCESSOR TO SSB 3012)

A BILL FOR

1 An Act relating to in-state special or limited-use pharmacy
2 licensure and nonresident pharmacy practices, licensure, and
3 discipline.

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

1 Section 1. Section 155A.13, subsections 3 and 5, Code 2014,
2 are amended to read as follows:

3 3. The board may issue a ~~special~~ or limited-use pharmacy
4 license or a telepharmacy license based upon special conditions
5 of use imposed pursuant to rules adopted by the board for cases
6 in which the board determines that certain requirements may be
7 waived.

8 5. A hospital which elects to operate a pharmacy for other
9 than its own use is subject to the requirements for a general
10 pharmacy license. If the hospital's pharmacy services for
11 other than its own use are special or limited, the board
12 may issue a ~~special~~ or limited-use pharmacy license or a
13 telepharmacy license pursuant to subsection 3.

14 Sec. 2. Section 155A.13A, subsection 2, Code 2014, is
15 amended to read as follows:

16 2. *License renewal.* A nonresident pharmacy shall renew its
17 license on or before January 1 annually. In order to renew
18 a nonresident pharmacy license, a nonresident pharmacy shall
19 submit a renewal application and fee as determined by the
20 board, and shall fulfill all of the requirements of subsection
21 1, paragraphs "b" through "e". A nonresident pharmacy shall pay
22 an additional fee for late renewal as determined by the board.

23 Sec. 3. Section 155A.13A, Code 2014, is amended by adding
24 the following new subsections:

25 NEW SUBSECTION. 2A. *Sterile compounding practice.* A
26 nonresident pharmacy that engages in the preparation of any
27 sterile compounded product for dispensing to or for a patient
28 located in Iowa shall comply with rules relating to sterile
29 compounding practices adopted by the board. A nonresident
30 pharmacy engaging in sterile compounding shall pay an amount
31 necessary to cover the board's costs of conducting periodic
32 inspections of the pharmacy's operations. Costs recovered
33 pursuant to this subsection shall be considered repayment
34 receipts as defined in section 8.2.

35 NEW SUBSECTION. 2B. *Inspections.* The board may inspect the

1 premises and practices of any applicant for a new nonresident
2 pharmacy license or for renewal of a nonresident pharmacy
3 license.

4 Sec. 4. Section 155A.13A, subsection 3, Code 2014, is
5 amended to read as follows:

6 3. *Discipline.* The board may deny an application for a
7 new or renewal of a nonresident pharmacy license if an agent
8 of the board is refused access to the pharmacy or pharmacy
9 records for the purpose of conducting a periodic inspection
10 or investigation. The board may deny, suspend, or revoke a
11 nonresident pharmacy license for any violation of this section,
12 section 155A.15, ~~subsection 2, paragraph "a", "b", "d", "e",~~
13 ~~"f", "g", "h", or "i",~~ chapter 124, 124A, 124B, 126, or 205, or
14 a rule of the board.

15 Sec. 5. Section 155A.15, subsection 1, Code 2014, is amended
16 to read as follows:

17 1. *a.* A pharmacy subject to section 155A.13 shall not be
18 operated until a license or renewal certificate has been issued
19 to the pharmacy by the board.

20 *b.* A pharmacy subject to section 155A.13A shall not offer
21 or provide pharmaceutical services to patients located in Iowa
22 until a license or renewal certificate has been issued to the
23 pharmacy by the board.

24 EXPLANATION

25 The inclusion of this explanation does not constitute agreement with
26 the explanation's substance by the members of the general assembly.

27 This bill relates to in-state special or limited-use
28 pharmacy licensure and nonresident pharmacy practices,
29 licensure, and discipline. The bill eliminates references
30 to special pharmacy licenses. The bill allows the board of
31 pharmacy to issue telepharmacy licenses pursuant to the rules
32 of the board.

33 The bill amends the requirements and practices for licensure
34 of a nonresident pharmacy. A licensed nonresident pharmacy
35 must submit an application for renewal of its license.

1 The bill prohibits a nonresident pharmacy from providing
2 pharmaceutical services to a patient in Iowa until the pharmacy
3 is licensed by the board.

4 The bill requires pharmacies to comply with the rules
5 of the board for the preparation of sterile compounding
6 products when engaging in the sterile compounding of any
7 product for dispensing to or for a patient located in Iowa and
8 also requires these pharmacies to pay the board's costs in
9 conducting inspections of the nonresident pharmacy's sterile
10 compounding operations. The bill authorizes the board to
11 inspect the premises and practices of applicants for a new
12 nonresident pharmacy license or for renewal of a nonresident
13 pharmacy license.

14 The bill states that the board may deny an application for
15 a new or renewal of a nonresident pharmacy license if the
16 pharmacy refuses the board access to the pharmacy or pharmacy
17 records.

18 The bill adds to the list of violations that could lead to a
19 denial, suspension, or revocation of a nonresident pharmacy's
20 license. These additional violations include operating a
21 nonresident pharmacy without a license and a violation by the
22 pharmacy or a pharmacist of any provision in the pharmacy
23 chapter or rule adopted pursuant to the chapter.