

Senate Study Bill 3012 - Introduced

SENATE/HOUSE FILE _____
BY (PROPOSED BOARD OF PHARMACY
BILL)

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. *Pharmacist licensure requirement.* At
26 least one pharmacist employed by the nonresident pharmacy, who
27 shall be designated the pharmacist in charge of the nonresident
28 pharmacy, shall maintain a current license to practice pharmacy
29 in Iowa during any period that the nonresident pharmacy is
30 licensed by the board.

31 NEW SUBSECTION. 2B. *Sterile compounding practice.* A
32 nonresident pharmacy that engages in the preparation of any
33 sterile compounded product for dispensing to or for a patient
34 located in Iowa shall comply with rules relating to sterile
35 compounding practices adopted by the board. A nonresident

1 pharmacy engaging in sterile compounding shall pay an amount
2 necessary to cover the board's costs of conducting periodic
3 inspections of the pharmacy's operations. Costs recovered
4 pursuant to this subsection shall be considered repayment
5 receipts as defined in section 8.2.

6 NEW SUBSECTION. 2C. *Inspections.* The board may inspect the
7 premises and practices of any applicant for a new nonresident
8 pharmacy license or for renewal of a nonresident pharmacy
9 license.

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

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

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

23 1. a. A pharmacy subject to section 155A.13 shall not be
24 operated until a license or renewal certificate has been issued
25 to the pharmacy by the board.

26 b. A pharmacy subject to section 155A.13A shall not offer
27 or provide pharmaceutical services to patients located in Iowa
28 until a license or renewal certificate has been issued to the
29 pharmacy by the board.

30 EXPLANATION

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

33 This bill relates to in-state special or limited-use
34 pharmacy licensure and nonresident pharmacy practices,
35 licensure, and discipline. The bill eliminates references

1 to special pharmacy licenses. The bill allows the board of
2 pharmacy to issue telepharmacy licenses pursuant to the rules
3 of the board.

4 The bill amends the requirements and practices for licensure
5 of a nonresident pharmacy. A licensed nonresident pharmacy
6 must submit an application for renewal of its license. The
7 bill also requires the pharmacist in charge of a nonresident
8 pharmacy to have a license to practice pharmacy in Iowa.
9 The bill prohibits a nonresident pharmacy from providing
10 pharmaceutical services to a patient in Iowa until the pharmacy
11 is licensed by the board.

12 The bill requires pharmacies to comply with the rules
13 of the board for the preparation of sterile compounding
14 products when engaging in the sterile compounding of any
15 product for dispensing to or for a patient located in Iowa and
16 also requires these pharmacies to pay the board's costs in
17 conducting inspections of the nonresident pharmacy's sterile
18 compounding operations. The bill authorizes the board to
19 inspect the premises and practices of applicants for a new
20 nonresident pharmacy license or for renewal of a nonresident
21 pharmacy license.

22 The bill states that the board may deny an application for
23 a new or renewal of a nonresident pharmacy license if the
24 pharmacy refuses the board access to the pharmacy or pharmacy
25 records.

26 The bill adds to the list of violations that could lead to a
27 denial, suspension, or revocation of a nonresident pharmacy's
28 license. These additional violations include operating a
29 nonresident pharmacy without a license and a violation by the
30 pharmacy or a pharmacist of any provision in the pharmacy
31 chapter or rule adopted pursuant to the chapter.