

House Study Bill 202 - Introduced

HOUSE FILE _____

BY (PROPOSED COMMITTEE ON
HEALTH AND HUMAN SERVICES
BILL BY CHAIRPERSON MEYER)

A BILL FOR

1 An Act relating to the practice of pharmacy, and providing for
2 administrative penalties.

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

1 Section 1. NEW SECTION. 155A.2B Practice of pharmacy —
2 general principles.

3 To evaluate whether an act by a licensee or registrant under
4 this chapter violates the appropriate standard of care, a
5 licensee or registrant of the board must consider all of the
6 following:

7 1. Whether performance of the act is expressly prohibited
8 by a provision of this chapter.

9 2. Whether performance of the act is expressly prohibited
10 by a rule adopted by the board.

11 3. Whether performance of the act is expressly prohibited by
12 another applicable state or federal law or regulation.

13 4. Whether performance of the act is consistent with
14 the education, training, and experience of a licensee or
15 registrant.

16 5. Whether performance of the act is within the accepted
17 standard of care that would be provided in a similar setting by
18 a reasonable and prudent licensee or registrant with similar
19 education, training, and experience.

20 Sec. 2. Section 155A.3, subsection 39, Code 2023, is amended
21 to read as follows:

22 39. "*Practitioner*" means a physician, dentist, podiatric
23 physician, prescribing psychologist, veterinarian, optometrist,
24 pharmacist, physician assistant, advanced registered nurse
25 practitioner, or other person licensed or registered to
26 prescribe, distribute, or dispense a prescription drug or
27 device in the course of professional practice in this state or
28 a person licensed by another state in a health field in which,
29 under Iowa law, licensees in this state may legally prescribe
30 drugs.

31 Sec. 3. Section 155A.3, Code 2023, is amended by adding the
32 following new subsection:

33 NEW SUBSECTION. 49A. "*Therapeutic substitution*" means the
34 replacement of a prescribed drug with an alternative molecule
35 with assumed equivalent therapeutic effect. The alternative

1 drug may be within the same class or from another class with
2 assumed therapeutic equivalence.

3 Sec. 4. Section 155A.7, Code 2023, is amended by striking
4 the section and inserting in lieu thereof the following:

5 **155A.7 Pharmacist-intern, pharmacy technician, and pharmacy**
6 **support person registration.**

7 1. Registration programs for pharmacist-interns, pharmacy
8 technicians, and pharmacy support persons are established for
9 the purposes of identification, tracking, and disciplinary
10 action for the violation of federal drug laws or regulations,
11 state drug or pharmacy laws, or rules of the board.

12 2. A person who is or desires to be a pharmacist-intern,
13 pharmacy technician, or pharmacy support person in this state
14 shall apply to the board for registration on a form prescribed
15 by the board.

16 a. A pharmacist-intern shall be registered during internship
17 training and thereafter pursuant to rules adopted by the board.

18 b. An applicant for a new pharmacy technician registration
19 or for a pharmacy technician renewal shall provide proof of
20 current certification by a national technician certification
21 authority approved by the board. A person who is in the
22 process of acquiring national certification as a pharmacy
23 technician and who is in training to become a pharmacy
24 technician shall register with the board as a pharmacy
25 technician.

26 3. The board shall adopt rules pursuant to chapter 17A on
27 matters pertaining to pharmacist-intern, pharmacy technician,
28 and pharmacy support person registration, renewals, fees,
29 training, national certification for pharmacy technicians,
30 approval of preceptors for pharmacist-interns, and other
31 relevant matters.

32 a. The board shall establish standards for pharmacist-intern
33 registration.

34 b. The board shall not adopt rules pertaining to pharmacy
35 support person registration which include any determination of

1 the competency of the registered person and, notwithstanding
2 section 272C.2, subsection 1, shall not require continuing
3 education for renewal.

4 4. The board may deny, suspend, or revoke the registration
5 of a pharmacist-intern, pharmacy technician, or pharmacy
6 support person, or otherwise impose disciplinary penalties upon
7 the registration of a pharmacy technician or pharmacy support
8 person, for any violation of the laws of this state, another
9 state, or the United States relating to prescription drugs,
10 controlled substances, or nonprescription drugs, or for any
11 violation of this chapter or chapter 124, 124B, 126, 147, 205,
12 or 272C, or any rule of the board. The board may deny, suspend,
13 or revoke a pharmacist-intern registration for failure to meet
14 the standards prescribed by the board pursuant to subsection 3.

15 5. Responsibility for the actions of a pharmacist-intern,
16 pharmacy technician, or pharmacy support person working under
17 a licensed pharmacist's delegated functions and reasonable
18 professional oversight shall remain with the licensed
19 pharmacist.

20 Sec. 5. Section 155A.8, Code 2023, is amended to read as
21 follows:

22 **155A.8 ~~Requirements for pharmacist~~ Pharmacist license.**

23 1. A person shall not engage in the practice of pharmacy in
24 this state without a license. The license shall be identified
25 as a pharmacist license.

26 2. A pharmacist may dispense, administer, monitor, and
27 issue prescription drugs, biological products, and medication
28 orders commensurate with the pharmacist's training and
29 education and in accordance with the appropriate standard of
30 care.

31 3. To qualify for a pharmacist license, an applicant shall
32 meet the following requirements:

33 1. a. Be a graduate of a school or college of pharmacy
34 or of a department of pharmacy of a university recognized and
35 approved by the board.

1 ~~2.~~ b. File proof, satisfactory to the board, of internship
2 for a period of time fixed by the board.

3 ~~3.~~ c. Pass an examination prescribed by the board.

4 4. The board shall specify by rule procedures and fees to
5 renew a pharmacist license and penalties for late renewal or
6 failure to renew a pharmacist license.

7 Sec. 6. Section 155A.9, subsection 2, Code 2023, is amended
8 to read as follows:

9 2. An applicant who is a graduate of a school or college of
10 pharmacy located outside the United States but who is otherwise
11 qualified to apply for a pharmacist license in this state may
12 be deemed to have satisfied the requirements of ~~section 155A.8,~~
13 ~~subsection 1~~ section 155A.8, subsection 3, paragraph "a", by
14 verification to the board of the applicant's academic record
15 and graduation and by meeting other requirements established
16 by rule of the board. The board may require the applicant
17 to pass an examination or examinations given or approved by
18 the board to establish proficiency in English and equivalency
19 of education as a prerequisite for taking the licensure
20 examination required in [section 155A.8, subsection 3](#).

21 Sec. 7. Section 155A.12, subsection 1, Code 2023, is amended
22 to read as follows:

23 1. Violated any provision of [this chapter](#) or any rules of
24 the board adopted under [this chapter](#), the pharmacy or drug
25 laws or rules of the United States, or any other state laws
26 or rules of the United States while under the other state's
27 jurisdiction.

28 Sec. 8. Section 155A.12, subsections 8, 9, and 10, Code
29 2023, are amended by striking the subsections.

30 Sec. 9. Section 155A.12, Code 2023, is amended by adding the
31 following new subsections:

32 NEW SUBSECTION. 11. Engaged in conduct outside the accepted
33 standard of care that would be provided in a similar setting by
34 a reasonable and prudent applicant or licensee.

35 NEW SUBSECTION. 12. Displayed incapacity of a nature

1 preventing engagement in the practice of pharmacy with
2 reasonable skill, competence, and safety to the public.

3 Sec. 10. Section 155A.13, subsection 3, paragraph b, Code
4 2023, is amended by striking the paragraph and inserting in
5 lieu thereof the following:

6 *b.* The board shall adopt rules for the issuance of a special
7 or limited-use pharmacy license to a telepharmacy site.

8 Sec. 11. Section 155A.13, subsection 3, paragraphs c, d, and
9 e, Code 2023, are amended by striking the paragraphs.

10 Sec. 12. Section 155A.13, subsection 8, Code 2023, is
11 amended by striking the subsection.

12 Sec. 13. Section 155A.13A, Code 2023, is amended by adding
13 the following new subsection:

14 NEW SUBSECTION. 6. *Nonresident pharmacy license.* The
15 board shall specify by rule procedures and fees to renew a
16 nonresident pharmacy license and the penalties for late renewal
17 or failure to renew a nonresident pharmacy license.

18 Sec. 14. Section 155A.18, Code 2023, is amended to read as
19 follows:

20 **155A.18 Penalties.**

21 1. The board shall impose penalties as allowed under section
22 272C.3. In addition, civil penalties not to exceed twenty-five
23 thousand dollars, may be imposed.

24 2. The board may impose an administrative penalty of up to
25 five hundred dollars on a licensee or registrant who does any
26 of the following:

27 a. Engages in a practice regulated by this chapter without a
28 current license or registration.

29 b. Employs a person without a current license or
30 registration to engage in a practice regulated by this chapter.

31 c. Fails to complete the continuing education required for
32 renewal of a license or registration.

33 d. Fails any component of a routine inspection conducted by
34 the board.

35 e. The assessment and payment of a penalty imposed pursuant

1 to this subsection shall not be considered a disciplinary
2 action or reported as discipline and shall be confidential.

3 Sec. 15. Section 155A.19, Code 2023, is amended by striking
4 the section and inserting in lieu thereof the following:

5 **155A.19 Notifications to board.**

6 Individuals and businesses licensed or registered pursuant
7 to this chapter shall notify the board of pertinent changes
8 related to activities performed pursuant to a license or
9 registration issued under this chapter, pursuant to rules of
10 the board.

11 Sec. 16. Section 155A.23, Code 2023, is amended by adding
12 the following new subsection:

13 NEW SUBSECTION. 4. *a.* A person found in possession of a
14 drug or device limited to dispensation by prescription, unless
15 the drug or device was so lawfully dispensed, commits a serious
16 misdemeanor.

17 *b.* Paragraph “*a*” does not apply to a licensed pharmacy,
18 licensed wholesaler, physician, veterinarian, dentist,
19 podiatric physician, optometrist, advanced registered nurse
20 practitioner, physician assistant, pharmacist, a nurse
21 acting under the direction of a physician, staff acting
22 under the direction of a person licensed to prescribe, or
23 the board of pharmacy, its officers, agents, inspectors,
24 and representatives, or to a common carrier, manufacturer’s
25 representative, or messenger when transporting the drug or
26 device in the same unbroken package in which the drug or device
27 was delivered to that person for transportation.

28 Sec. 17. Section 155A.26, unnumbered paragraph 1, Code
29 2023, is amended to read as follows:

30 The board, its officers, agents, ~~inspectors~~ compliance
31 officers, and representatives, and all peace officers
32 within the state, and all county attorneys shall enforce
33 all provisions of **this chapter**, except those specifically
34 delegated, and shall cooperate with all agencies charged
35 with the enforcement of the laws of the United States, of

1 this state, and of all other states relating to prescription
2 drugs. Officers, agents, ~~inspectors~~ compliance officers, and
3 representatives of the board shall have the powers and status
4 of peace officers when enforcing the provisions of this chapter
5 and chapters 124, 126, and 205. Officers, agents, ~~inspectors~~
6 compliance officers, and representatives of the board of
7 pharmacy may:

8 Sec. 18. Section 155A.26, subsection 3, Code 2023, is
9 amended to read as follows:

10 3. Conduct routine and unannounced inspections of
11 ~~pharmacies, drug wholesalers, and the offices or business~~
12 ~~locations of all individuals and institutions authorized to~~
13 ~~have possession of prescription drugs including any entity~~
14 licensed by the board or location authorized to possess
15 controlled substances or prescription devices, regardless of
16 the location of the office or business.

17 Sec. 19. Section 155A.27, subsection 2, paragraph a, Code
18 2023, is amended to read as follows:

19 a. ~~Beginning January 1, 2020, every~~ Every prescription
20 issued for a prescription drug shall be transmitted
21 electronically as an electronic prescription to a pharmacy by a
22 prescriber or the prescriber's authorized agent unless exempt
23 under paragraph "b".

24 Sec. 20. Section 155A.27, subsection 3, unnumbered
25 paragraph 1, Code 2023, is amended to read as follows:

26 For ~~prescriptions issued prior to January 1, 2020, or~~
27 ~~for~~ prescriptions exempt from the electronic prescription
28 requirement in subsection 2, paragraph "b", a prescriber or the
29 prescriber's authorized agent may transmit a prescription for a
30 prescription drug to a pharmacy by any of the following means:

31 Sec. 21. Section 155A.27, Code 2023, is amended by adding
32 the following new subsections:

33 NEW SUBSECTION. 8. Except as specified in subsection 9, a
34 prescription for any prescription drug or device which is not a
35 controlled substance shall not be filled or refilled more than

1 eighteen months after the date on which the prescription was
2 issued and a prescription which is authorized to be refilled
3 shall not be refilled more than twelve times.

4 NEW SUBSECTION. 9. A pharmacist may exercise professional
5 judgment by refilling a prescription drug order without
6 prescriber authorization in accordance with the appropriate
7 standard of care and pursuant to rules established by the
8 board.

9 NEW SUBSECTION. 10. An authorization to refill a
10 prescription drug order shall be transmitted to a pharmacy by
11 a prescriber or the prescriber's authorized agent pursuant
12 to this section, except that prescription drug orders for
13 controlled substances shall be transmitted pursuant to section
14 124.308, and, if not transmitted directly by the practitioner,
15 shall also include the name and title of the practitioner's
16 agent completing the transmission.

17 Sec. 22. Section 155A.32, Code 2023, is amended by striking
18 the section and inserting in lieu thereof the following:

19 **155A.32 Drug product selection — restrictions.**

20 1. If an authorized practitioner prescribes a drug, the
21 pharmacist may exercise professional judgment in the interest
22 of the patient by providing a therapeutic substitution for
23 dispensing and sale to the patient.

24 2. The pharmacist shall not provide a therapeutic
25 substitution if "dispense as written" is indicated on the
26 prescription.

27 3. The board shall adopt rules on proper recording and
28 notification when a therapeutic substitution is made under this
29 section.

30 Sec. 23. Section 155A.39, subsection 6, Code 2023, is
31 amended to read as follows:

32 6. Funds and surcharges collected under **this section** shall
33 be deposited in an account and may be used by the board to
34 administer a program authorized by **this section**, ~~but shall~~
35 ~~not be used for costs incurred for a participant's initial~~

1 ~~evaluation, referral services, treatment, or rehabilitation~~
2 ~~subsequent to intervention~~ and to assist licensees and
3 registrants with costs incurred for participation in the
4 program.

5 Sec. 24. Section 155A.40, subsection 1, Code 2023, is
6 amended to read as follows:

7 1. The board may request and obtain, notwithstanding
8 section 692.2, subsection 5, criminal history data for any
9 applicant for an initial or renewal license or registration
10 issued pursuant to [this chapter](#) or [chapter 147](#), any applicant
11 for reinstatement of a license or registration issued pursuant
12 to [this chapter](#) or [chapter 147](#), or any licensee or registrant
13 who is being monitored as a result of a board order or
14 agreement resolving an administrative disciplinary action,
15 for the purpose of evaluating the applicant's, licensee's,
16 or registrant's eligibility for licensure, registration, or
17 suitability for continued practice of the profession. Criminal
18 history data may be requested for all owners, managers, and
19 principal employees of a pharmacy, third-party logistics
20 provider, or ~~drug wholesaler~~ wholesale distributor licensed
21 pursuant to [this chapter](#). The board shall adopt rules
22 pursuant to [chapter 17A](#) to implement [this section](#). The board
23 shall inform the applicant, licensee, or registrant of the
24 criminal history requirement and obtain a signed waiver from
25 the applicant, licensee, or registrant prior to submitting a
26 criminal history data request.

27 Sec. 25. Section 155A.46, Code 2023, is amended by adding
28 the following new subsection:

29 NEW SUBSECTION. 01. A pharmacist may, pursuant to
30 statewide protocols developed and approved by the board in
31 consultation with the department of health and human services,
32 order and administer prescription drugs, products, tests, or
33 treatments. Each protocol, as established by rule, may define
34 the prescription drugs, products, tests, or treatments allowed
35 to be ordered and administered, any training or qualification

1 required to implement the protocol, and any additional
2 requirements deemed appropriate by the board.

3 Sec. 26. Section 155A.46, subsection 1, Code 2023, is
4 amended to read as follows:

5 1. A pharmacist may, pursuant to statewide protocols
6 developed and approved by the board in consultation with
7 the department of health and human services and consistent
8 with subsection 2, order and administer an immunization or
9 vaccination. Each protocol, as established by rule, may
10 define the immunization or vaccination allowed to be ordered
11 and administered, any training or qualification required to
12 implement the protocol, and any additional requirements deemed
13 appropriate by the board.

14 a. ~~A pharmacist may, pursuant to statewide protocols~~
15 ~~developed by the board in consultation with the department~~
16 ~~of public health and consistent with subsection 2,~~ order and
17 administer the following to patients ages eighteen years and
18 older:

19 ~~(1) Naloxone.~~

20 ~~(2) Nicotine replacement tobacco cessation products.~~

21 ~~(3)~~ (1) An immunization or vaccination recommended by
22 the United States centers for disease control and prevention
23 advisory committee on immunization practices in its approved
24 vaccination schedule for adults.

25 ~~(4)~~ (2) An immunization or vaccination recommended by the
26 United States centers for disease control and prevention for
27 international travel.

28 ~~(5)~~ (3) A Tdap (tetanus, diphtheria, acellular pertussis)
29 vaccination in a booster application.

30 ~~(6)~~ (4) Other emergency immunizations or vaccinations in
31 response to a public health emergency.

32 ~~(7)~~ (5) An immunization or vaccination for COVID-19 as
33 defined in [section 686D.2](#).

34 b. ~~A pharmacist may, pursuant to statewide protocols~~
35 ~~developed by the board in consultation with the department~~

1 ~~of public health and consistent with subsection 2,~~ order and
2 administer the following to patients ages six months and older:

3 (1) ~~A vaccine or~~ An immunization or vaccination for
4 influenza.

5 (2) Other emergency immunizations or vaccines in response
6 to a public health emergency.

7 c. A pharmacist may, pursuant to statewide protocols
8 developed by the board in consultation with the department
9 of public health and consistent with [subsection 2](#), order and
10 administer the final two doses in a course of vaccinations for
11 HPV to patients ages eleven years and older.

12 d. Prior to the ordering and administration of a
13 ~~vaccination or~~ an immunization or vaccination authorized by
14 this subsection, pursuant to statewide protocols, a licensed
15 pharmacist shall consult and review the statewide immunization
16 registry or health information network. The board shall
17 adopt rules requiring the reporting of the administration of
18 ~~vaccines and immunizations~~ and vaccinations authorized by this
19 subsection to a patient's primary health care provider, primary
20 physician, and a statewide immunization registry or health
21 information network.

22 e. ~~A pharmacist may, pursuant to statewide protocols~~
23 ~~developed by the board in consultation with the department~~
24 ~~of public health and consistent with subsection 2,~~ order and
25 ~~administer the following to patients ages six years and older:~~

26 ~~(1) Point-of-care testing and treatment for influenza,~~
27 ~~streptococcus A, and COVID-19 as defined in [section 686D.2](#) at~~
28 ~~the point of interaction between a pharmacist and a patient.~~

29 ~~(2) Point-of-care testing at the point of interaction~~
30 ~~between a pharmacist and a patient in response to a public~~
31 ~~health emergency.~~

32 Sec. 27. Section 155A.46, subsection 2, Code 2023, is
33 amended by striking the subsection and inserting in lieu
34 thereof the following:

35 2. Notwithstanding any provision of law to the contrary,

1 a pharmacist may develop policies, procedures, and protocols
2 to carry out the practices identified in section 155A.8,
3 subsection 2.

4 Sec. 28. Section 155A.47, subsection 1, Code 2023, is
5 amended to read as follows:

6 1. Notwithstanding any provision of section 147.107,
7 subsection 2, or ~~section 155A.33~~ this chapter to the contrary,
8 the board may approve a pilot or demonstration research project
9 of innovative applications in the practice of pharmacy to
10 provide enhanced patient care.

11 Sec. 29. REPEAL. Sections 155A.6, 155A.6A, 155A.6B,
12 155A.21, 155A.28, and 155A.29, Code 2023, are repealed.

13 EXPLANATION

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

16 This bill relates to the practice of pharmacy. The bill
17 creates general principles that licensees and registrants of
18 the board of pharmacy (board) must consider when determining
19 whether an act violates the appropriate standard of care. The
20 bill also reorganizes Code chapter 155A (pharmacy) by combining
21 and repealing certain Code sections, and makes conforming Code
22 changes. The bill combines Code section 155A.21 (unlawful
23 possession of prescription drug or device — penalty) into Code
24 section 155A.23 (prohibited acts) and Code section 155A.29
25 (prescription refills) into Code section 155A.27 (requirements
26 for prescriptions).

27 The bill adds pharmacists to the definition of
28 "practitioner" for the purposes of Code chapter 155A and
29 defines "therapeutic substitution" as the replacement of a
30 prescribed drug with an alternative molecule with assumed
31 equivalent therapeutic effect.

32 The bill repeals and amends current Code provisions
33 regarding the registration of pharmacist-interns, pharmacy
34 technicians, and pharmacy support persons. The bill requires
35 the board to adopt rules regarding the registration and

1 practice of pharmacist-interns, pharmacy technicians, and
2 pharmacy support persons. The bill prohibits the board
3 from adopting rules pertaining to pharmacy support person
4 registration which include any determination of the competency
5 of the registered person or requiring continuing education.
6 The bill allows the board to deny, suspend, or revoke a
7 registration of a pharmacist-intern, pharmacy technician,
8 or pharmacy support person based on a violation of certain
9 laws and regulations. Responsibility for the actions of a
10 pharmacist-intern, pharmacy technician, or pharmacy support
11 person working under a pharmacist remains with the pharmacist.

12 The bill allows a pharmacist to dispense, administer,
13 monitor, and issue prescription drugs, biological products,
14 and medication orders according to the pharmacist's training
15 and education and in accordance with the appropriate standard
16 of care. The bill requires the board to specify by rule the
17 procedures and fees to renew a pharmacist license and the
18 penalties for late renewal or failure to renew a pharmacist
19 license.

20 The bill allows the board to discipline a pharmacist or
21 refuse to issue a pharmacist license to a person for engaging
22 in conduct outside the accepted standard of care that would
23 be provided in a similar setting by a reasonable and prudent
24 applicant or licensee and for displaying incapacity of a
25 nature preventing engagement in the practice of pharmacy with
26 reasonable skill, competence, and safety to the public.

27 The bill strikes provisions regarding the issuance of a
28 telepharmacy license and requires the board to adopt rules for
29 the issuance of a telepharmacy license. The bill also strikes
30 a requirement that a pharmacy license be issued in the name of
31 the pharmacist in charge and not be transferable or assignable.
32 The bill requires the board to adopt rules regarding the
33 renewal of a nonresident pharmacy license and the penalties
34 for a late renewal or failure to renew a nonresident pharmacy
35 license.

1 The bill allows the board to impose an administrative
2 penalty of up to \$500 on a licensee or registrant who engages
3 in a practice regulated by Code chapter 155A without a current
4 license or registration, employs a person without a current
5 license or registration to engage in a practice regulated by
6 Code chapter 155A, fails to complete the continuing education
7 required for renewal of a license or registration, or fails any
8 component of a routine inspection conducted by the board. An
9 administrative penalty shall not be considered a disciplinary
10 action or reported as discipline and shall be confidential.
11 Under current law, the board can impose civil penalties not to
12 exceed \$25,000.

13 The bill strikes current law regarding notifications
14 submitted by a pharmacy to the board and requires the board
15 to adopt rules for the reporting of pertinent changes related
16 to activities performed pursuant to a license or registration
17 issued under Code chapter 155A to the board by a licensed or
18 registered person or business.

19 The bill changes references to "inspectors" of the board
20 to "compliance officers" of the board. The bill allows the
21 board to conduct routine and unannounced inspections of any
22 entity licensed by the board or location authorized to possess
23 controlled substances or prescription devices.

24 The bill strikes provisions allowing prescriptions issued
25 before January 1, 2020, to be issued by nonelectronic means.
26 The bill allows a pharmacist to exercise professional judgment
27 by refilling a prescription without prescriber authorization in
28 accordance with the appropriate standard of care and pursuant
29 to rules established by the board.

30 The bill allows a pharmacist to dispense a therapeutic
31 substitution in lieu of a prescribed drug according to the
32 professional judgment of the pharmacist unless the prescription
33 states "dispense as written". The board shall adopt rules on
34 proper recording and notification of therapeutic substitutions.

35 The bill allows funds and surcharges collected for a

1 program to monitor impaired pharmacists, pharmacist-interns,
2 or pharmacy technicians to be used to assist licensees and
3 registrants with costs incurred for participation in the
4 program.

5 The bill allows the board to request criminal history
6 data for all owners, managers, and principal employees and
7 third-party logistics providers and wholesale distributors.

8 The bill amends current provisions regarding statewide
9 protocols under which a pharmacist can order and administer
10 certain drugs. The bill allows the board to develop statewide
11 protocols for the ordering and administration of prescription
12 drugs, products, tests, treatments, immunizations, and
13 vaccinations in consultation with the department of health and
14 human services. Each protocol may define the prescription
15 drugs, products, tests, treatments, immunizations, or
16 vaccinations allowed to be ordered and administered, any
17 training or qualification required to implement the protocol,
18 and any additional requirements deemed appropriate by the
19 board. The bill strikes provisions allowing a pharmacist to
20 order and administer naloxone and nicotine replacement tobacco
21 cessation products to patients ages 18 years and older and to
22 order and administer certain forms of point-of-care testing
23 to patients ages 6 years and older. The bill also strikes
24 provisions requiring a pharmacist who orders or administers
25 prescription drugs, products, tests, or treatments to maintain
26 certain records, provide notice to a patient's primary health
27 care provider, and complete continuing education requirements.

28 The bill allows the board to approve a pilot or demonstration
29 research project of innovative applications in the practice of
30 pharmacy to provide enhanced patient care, notwithstanding any
31 provision of Code chapter 155A to the contrary. Current law
32 allows the board to approve such a project notwithstanding Code
33 section 155A.33 (delegation of functions).