

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 208

BY HEALTH AND WELFARE COMMITTEE

AN ACT

1
2 RELATING TO PHARMACISTS; AMENDING SECTION 54-1704, IDAHO CODE, TO REMOVE A
3 PROVISION REGARDING FEDERAL FOOD AND DRUG ADMINISTRATION-APPROVED LA-
4 BELING.

5 Be It Enacted by the Legislature of the State of Idaho:

6 SECTION 1. That Section 54-1704, Idaho Code, be, and the same is hereby
7 amended to read as follows:

8 54-1704. PRACTICE OF PHARMACY. "Practice of pharmacy" means:

9 (1) The interpretation, evaluation and dispensing of prescription drug
10 orders;

11 (2) Participation in drug and device selection, drug administration,
12 prospective and retrospective drug reviews and drug or drug-related re-
13 search;

14 (3) The provision of patient counseling and the provision of those acts
15 or services necessary to provide pharmaceutical care;

16 (4) The responsibility for:

17 (a) Compounding and labeling of drugs and devices, except labeling by
18 a manufacturer, repackager or distributor of nonprescription drugs and
19 commercially packaged legend drugs and devices;

20 (b) Proper and safe storage of drugs and devices, and maintenance of
21 proper records for them; and

22 (c) The offering or performing of those acts, services, operations or
23 transactions necessary to the conduct, operation, management and con-
24 trol of pharmacy;

25 (5) The prescribing of:

26 (a) Agents for active immunization when prescribed for susceptible
27 persons six (6) years of age or older for the protection from communica-
28 ble disease; and

29 (b) Drugs, drug categories, or devices that ~~are prescribed in accor-~~
30 ~~dance with the product's federal food and drug administration-approved~~
31 ~~labeling and that~~ are limited to conditions that:

32 (i) Do not require a new diagnosis;

33 (ii) Are minor and generally self-limiting;

34 (iii) Have a test that is used to guide diagnosis or clinical deci-
35 sion-making and are waived under the federal clinical laboratory
36 improvement amendments of 1988; or

37 (iv) In the professional judgment of the pharmacist, threaten
38 the health or safety of the patient should the prescription not be
39 immediately dispensed. In such cases, only sufficient quantity
40 may be provided until the patient is able to be seen by another
41 provider.

1 The board shall not adopt any rules authorizing a pharmacist to pre-
2 scribe a controlled drug, compounded drug or biological product.