

HCS HB 545 & 590 -- PRACTICE OF PHARMACY

SPONSOR: Tilley (Wasson)

COMMITTEE ACTION: Voted "do pass" by the Special Committee on General Laws by a vote of 8 to 0.

This substitute revises the definition of "practice of pharmacy" to include the implementation of medical or veterinary prescription orders and authorizes the design and implementation of a medication therapeutic plan defined by a specific prescription order. Physician protocols referring to the patient are required and will not come from a nurse under a collaborative agreement with a physician.

Health carriers are prohibited from requiring any physician with whom they contract to enter into a written protocol with a pharmacist for medication therapeutic services. The State Board of Registration for the Healing Arts and the State Board of Pharmacy are authorized to promulgate rules regulating prescription orders for medication therapy services.

The substitute prohibits any person other than the patient or the patient's authorized representative from accepting a dispensed prescription order unless that person is on the premises of a pharmacy.

The State Board of Pharmacy may establish the Well-being Committee to aid pharmacists who suffer from illness, substance abuse, mental illness, or physical impairments. The board will enter into contractual agreements with nonprofit corporations for the purpose of creating, supporting, and maintaining the committee. All communications involving the licensee and the committee are confidential and not considered public records.

The committee may disclose information about an impaired licensee when it is necessary to further the intervention, treatment, or rehabilitation of the licensee; the release is authorized by the licensee; the committee must make a report to the board; or the information is subject to a court order.

FISCAL NOTE: No impact on General Revenue Fund in FY 2008, FY 2009, and FY 2010. Estimated Effect on Other State Funds of a cost of \$19,899 in FY 2008, an income of \$4,837 in FY 2009, and a cost of \$1,273 in FY 2010.

PROPOSERS: Supporters say that the bill allows physicians to enter into an agreement with pharmacists to develop a collaborative treatment called medication therapy management for patients. Pharmacists will be able to take an expanded role in

the chronic disease control program administered by the Department of Social Services. Pharmacists will have no diagnostic authority, but rather implement a written treatment protocol from a physician.

Testifying for HB 545 were Representative Wasson; Missouri Pharmacy Association; and Terry Seaton, Missouri Pharmacists Association. Testifying for HB 590 was Representative Tilley.

OPPONENTS: Those who oppose the bill say that it allows pharmacists to practice medicine without a license. Patients will be endangered due to pharmacists not being able to differentiate between a symptom of a new ailment and a side effect of a new medication.

Testifying against HB 545 was Missouri State Medical Association.