

HCS SS SCS SB 826 -- PHARMACY

SPONSOR: Sater

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Professional Registration and Licensing by a vote of 10 to 0. Voted "Do Pass" by the Rules- Administrative Oversight Committee by a vote of 12 to 0.

This bill modifies provisions of law relating to pharmacy, including:

- (1) Limitations on prescribing opioids;
- (2) The disposal of unused controlled substances;
- (3) Vaccine protocols; and
- (4) Use of generically equivalent or interchangeable biological products.

LIMITATIONS ON PRESCRIBING OPIOIDS

This bill limits certain initial prescriptions of opioid controlled substances to no more than a seven-day supply for the treatment of acute pain. Prior to prescribing the opioid, a practitioner shall consult with the patient regarding the quantity of the opioid and the patient's option to fill the prescription in a lesser quantity, as well as inform the patient of the risks associated with the prescribed opioid. If, in the practitioner's medical judgment, more than a seven-day supply is required to treat the patient, the practitioner may issue a prescription for the quantity needed after noting in the patient's medical record the condition triggering the necessity for a greater quantity and that a nonopioid was not appropriate. The provisions of this bill shall not apply to prescriptions for a patient who is currently undergoing treatment for cancer, is receiving hospice care or palliative care, is a resident of a long-term care facility, or is receiving treatment for substance abuse or opioid dependence.

No pharmacy or pharmacist shall be liable or subject to disciplinary action for dispensing or refusing to dispense medication pursuant to an otherwise valid prescription that exceeds these prescribing limits (Sections 195.010 and 195.080, RSMo). These provisions are similar to SCS SB 825 (2018).

DISPOSAL OF UNUSED CONTROLLED SUBSTANCES

This bill specifies that a Drug Enforcement Agency-authorized collector, in accordance with federal regulations, may accept unused controlled substances from ultimate consumers, even if the authorized collector did not originally dispense the drug. This provision shall supersede and preempt any local drug disposal ordinance or regulation.

This provision has an emergency clause.

Additionally, the Department of Health and Senior Services shall develop an education and awareness program regarding drug disposal, including the development of a web-based resource and promotional

activities (Sections 195.070 and 195.265).

VACCINE PROTOCOLS

This bill modifies the minimum age for the administration of certain vaccines from 12 years of age to seven years of age or the Centers for Disease Control and Prevention recommendations, whichever is higher. The rules regulating the use of protocols for the administration of viral influenza vaccines shall no longer be jointly promulgated by the State Board of Registration for the Healing Arts and the State Board of Pharmacy, but shall be promulgated solely by the State Board of Pharmacy.

The act adds to the practice of pharmacy the administration of viral influenza vaccines by written protocol authorized by a physician for a specific patient.

Additionally, a pharmacist shall inform the patient that the administration of the vaccine will be entered into the ShowMeVax system. The patient shall attest to the inclusion of such information in the system by signing a form provided by the pharmacist or may indicate that he or she does not want such information entered into the system (Section 338.010).

GENERICALLY EQUIVALENT OR INTERCHANGEABLE BIOLOGICAL PRODUCTS

This bill allows a pharmacist who receives a prescription for a brand name drug or biological product to select a less expensive generically equivalent or interchangeable biological product unless specifically requested not to, by the patient or the prescribing practitioner (Section 338.056).

PROPONENTS: Supporters say that there is an opioid crisis in Missouri and this bill could help. Recent evidence has found that a person can become addicted to opioids in seven days, that is the reason for restricting the initial prescription. Walgreens is already setting up drug collection receptacles nationwide, in accordance with federal regulations, and will do so in Missouri once this bill passes. There have been no reported problems with their program to date. The goal is to get unused opioids off the streets in a safe and convenient manner.

Testifying for the bill were Senator Sater; Walgreens; Missouri State Medical Association; Missouri Association of Rural Health Clinics; Barnes Jewish Christian; Cox Health; Pfizer Inc.; Missouri Pharmacy Association; Missouri Association of Hospice and Palliative Care; Consumer Healthcare Products Association; Biotechnology Innovation Organization; American Cancer Society Cancer Action Network; Hyvee; Missouri Biotechnology Association; Blue Cross Blue Shield of Kansas City; Greater Kansas City Chamber of Commerce; America's Health Insurance Plans; Carpenters Regional Council of St. Louis & Kansas City; Pharmaceutical Research and Manufacturers of America, (PHRMA); Missouri Retailers Association; and the

Missouri Grocers Association.

OPPONENTS: There was no opposition voiced to the committee.