

Senate Engrossed House Bill

FILED

**JANICE K. BREWER
SECRETARY OF STATE**

State of Arizona
House of Representatives
Forty-eighth Legislature
First Regular Session
2007

CHAPTER 207

HOUSE BILL 2155

AN ACT

AMENDING TITLE 32, CHAPTER 18, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 32-1910; RELATING TO THE BOARD OF PHARMACY.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 32, chapter 18, article 1, Arizona Revised Statutes,
3 is amended by adding section 32-1910, to read:

4 32-1910. Emergencies; continued provision of services

5 A. IF A NATURAL DISASTER OR TERRORIST ATTACK OCCURS AND, AS A
6 CONSEQUENCE OF THE NATURAL DISASTER OR TERRORIST ATTACK, A STATE OF EMERGENCY
7 IS DECLARED BY THE GOVERNOR OR BY A COUNTY, CITY OR TOWN PURSUANT TO ITS
8 AUTHORITY AND THE DECLARED STATE OF EMERGENCY RESULTS IN INDIVIDUALS BEING
9 UNABLE TO REFILL EXISTING PRESCRIPTIONS, THE BOARD SHALL COOPERATE WITH THIS
10 STATE AND THE COUNTY, CITY OR TOWN TO ENSURE THE PROVISION OF DRUGS, DEVICES
11 AND PROFESSIONAL SERVICES TO THE PUBLIC.

12 B. IF A NATURAL DISASTER OR TERRORIST ATTACK OCCURS IN ANOTHER STATE
13 AND, AS A CONSEQUENCE OF THE NATURAL DISASTER OR TERRORIST ATTACK, A STATE OF
14 EMERGENCY IS DECLARED BY THE GOVERNOR OF THAT STATE AND THE DECLARED STATE OF
15 EMERGENCY RESULTS IN INDIVIDUALS BEING TEMPORARILY RELOCATED TO ARIZONA AND
16 UNABLE TO REFILL EXISTING PRESCRIPTIONS, THE BOARD SHALL COOPERATE WITH THIS
17 STATE TO ENSURE THE PROVISION OF DRUGS, DEVICES AND PROFESSIONAL SERVICES TO
18 THE RELOCATED INDIVIDUALS.

19 C. WHEN A STATE OF EMERGENCY HAS BEEN DECLARED PURSUANT TO THIS
20 SECTION, A PHARMACIST MAY WORK IN THE AFFECTED COUNTY, CITY OR TOWN AND MAY
21 DISPENSE A ONE-TIME EMERGENCY REFILL PRESCRIPTION OF UP TO A THIRTY-DAY
22 SUPPLY OF A PRESCRIBED MEDICATION IF BOTH OF THE FOLLOWING APPLY:

23 1. IN THE PHARMACIST'S PROFESSIONAL OPINION THE MEDICATION IS
24 ESSENTIAL TO THE MAINTENANCE OF LIFE OR TO THE CONTINUATION OF THERAPY.

25 2. THE PHARMACIST MAKES A GOOD FAITH EFFORT TO REDUCE THE INFORMATION
26 TO A WRITTEN PRESCRIPTION MARKED "EMERGENCY PRESCRIPTION" AND THEN FILES AND
27 MAINTAINS THE PRESCRIPTION AS REQUIRED BY LAW.

28 D. IF THE STATE OF EMERGENCY DECLARED PURSUANT TO THIS SECTION
29 CONTINUES FOR AT LEAST TWENTY-ONE DAYS AFTER THE PHARMACIST DISPENSES AN
30 EMERGENCY PRESCRIPTION PURSUANT TO SUBSECTION C, THE PHARMACIST MAY DISPENSE
31 ONE ADDITIONAL EMERGENCY REFILL PRESCRIPTION OF UP TO A THIRTY DAY SUPPLY OF
32 THE PRESCRIBED MEDICATION.

33 E. A PHARMACIST WHO IS NOT LICENSED IN THIS STATE, BUT WHO IS
34 CURRENTLY LICENSED IN ANOTHER STATE, MAY DISPENSE PRESCRIPTION MEDICATIONS IN
35 THOSE AFFECTED COUNTIES, CITIES OR TOWNS IN THIS STATE DURING THE TIME THAT A
36 DECLARED STATE OF EMERGENCY EXISTS PURSUANT TO THIS SECTION IF BOTH OF THE
37 FOLLOWING APPLY:

38 1. THE PHARMACIST HAS PROOF OF LICENSURE IN ANOTHER STATE.

39 2. THE PHARMACIST IS ENGAGED IN A LEGITIMATE RELIEF EFFORT DURING THE
40 PERIOD OF TIME AN EMERGENCY HAS BEEN DECLARED PURSUANT TO THIS SECTION.

1 F. THE BOARD MAY ADOPT RULES FOR THE PROVISION OF PHARMACEUTICAL CARE
2 AND DRUG AND DEVICE DELIVERY DURING A DECLARED EMERGENCY THAT IS THE
3 CONSEQUENCE OF A NATURAL DISASTER OR TERRORIST ATTACK, INCLUDING THE USE OF
4 TEMPORARY OR MOBILE PHARMACY FACILITIES AND NONRESIDENT LICENSED PHARMACY
5 PROFESSIONALS.

6 G. A PHARMACIST'S AUTHORITY TO DISPENSE PRESCRIPTIONS PURSUANT TO THIS
7 SECTION ENDS WHEN THE DECLARED STATE OF EMERGENCY IS TERMINATED.

APPROVED BY THE GOVERNOR MAY 14, 2007.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 14, 2007.

Passed the House March 6, 2007

Passed the Senate April 18, 2007

by the following vote: 57 Ayes,

by the following vote: 26 Ayes,

0 Nays, 3 Not Voting

0 Nays, 4 Not Voting

[Signature]

Speaker of the House

[Signature]

President of the Senate

[Signature]

Chief Clerk of the House

[Signature]

Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill received by the Governor this

_____ day of _____, 20____

at _____ o'clock _____ M.

Secretary to the Governor

Approved this _____ day of

at _____ o'clock _____ M.

Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this _____ day of _____, 20____

at _____ o'clock _____ M.

Secretary of State

H.B. 2155

HOUSE CONCURS IN SENATE
AMENDMENTS AND FINAL PASSAGE

May 9, 2007,

by the following vote: 56 Ayes,

0 Nays, 4 Not Voting

Speaker of the House
Pro Tempore

Chief Clerk of the House

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

9th day of May, 2007

at 11:13 o'clock A. M.

Secretary to the Governor

Approved this 14 day of

May, 2007,

at 9:55 o'clock A. M.

Governor of Arizona

H.B. 2155

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 14 day of May, 2007,

at 11:25 o'clock A. M.

Secretary of State