

**BILL SUMMARY**  
1<sup>st</sup> Session of the 55<sup>th</sup> Legislature

<b>Bill No.:</b>	<b>SB787</b>
<b>Version:</b>	<b>ENGR</b>
<b>Request Number:</b>	
<b>Author:</b>	<b>Rep. Derby</b>
<b>Date:</b>	<b>4/6/2015</b>
<b>Impact:</b>	<b>No additional costs to state.</b>

**Research Analysis**

SB 787 amends the Oklahoma Pharmacy Act by modifying, adding, and removing several definitions. The measure specifies that the State Board of Pharmacy must employ an executive director who is a licensed pharmacist in Oklahoma and removes language related determining the salary of the executive director.

The measure reprioritizes and amends the power and duties of the Board, including;

- The ability to regulate the distribution of drugs, medicines, chemicals, and poisons;
- Issue licenses to manufacturers, repackagers, outsourcing facilities, wholesale distributors, third-party logistics providers, pharmacies, and other dispensers, medical gas suppliers, and medical gas distributors;
- Issue sterile compounding and drug supplier permits for pharmacies at a fee set by the Board; and
- Issue pharmacy technician permits and intern licenses.

The measure requires a pharmacist to complete 15 hours of continuing education to renew their license. A pharmacist who fails or neglects to renew their license must pay back all fees and provide proof of having obtained all delinquent continuing education plus an additional 15 hours of continuing education. The Board may require evidence of competency through examination or impose other requirements for reinstatement.

The measure requires every other pharmacy board registrant to keep their license or permit conspicuously displayed in the licensee or permit holder's pharmacy or place of business. The measure clarifies that the licensure requirement for the sale of drugs and chemicals applies to out of state sales as well. Non-resident pharmacies licensure applicants will be responsible for reimbursing the Board for any actual expenses incurred for inspections. Pharmacy support personnel may only perform those tasks that are in compliance with rules promulgated by the Board.

The measure requires pharmacists to promptly record in writing a prescription received that is not by written communication. It stipulates the information that must be displayed on a prescription label. Additionally, the measure amends unlawful violations of the Act and permits the Board to revoke permanently a certificate, license, or permit issued pursuant to the Act. An order of the Board will constitute a judgement and may be entered on the judgement docket of a certain district court. The measure clarifies that the Act does not prevent veterinary prescription drugs from being shipped directly from an Oklahoma licensed wholesaler or distributor to a client under certain circumstances. Additional clarification is provided for pharmacists and the dispensing of dangerous drugs and controlled dangerous substances for the treatment of ocular

abnormalities, provided that such prescriptions are written by Oklahoma licensed optometrists. The measure stipulates that a pharmacist cannot refuse to transfer a prescription to another pharmacy or to transmit their prescription to another licensed pharmacist or licensed pharmacy. Lastly, the measure repeals a section of law pertaining to the recording of unwritten prescriptions.

Prepared By: Scott Tohlen

### **Fiscal Analysis**

According to officials with the Oklahoma Pharmacy Board, SB787 “will have no impact to the Board.” SB787 will move language currently in OS 59 § 353.7 (6) to 9.

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### **Other Considerations**

None.