

**Sixty-fourth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 6, 2015**

SENATE BILL NO. 2173
(Senators Klein, J. Lee, Murphy)
(Representatives Keiser, Oversen, Weisz)

AN ACT to amend and reenact section 43-15-31.4 of the North Dakota Century Code, relating to the governance of prescriptive practices for pharmacists.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 43-15-31.4 of the North Dakota Century Code is amended and reenacted as follows:

43-15-31.4. Limited prescriptive practices.

1. A licensed pharmacist in an institutional setting has limited prescriptive practices to initiate or modify drug therapy following diagnosis and initial patient assessment by a licensed physician or an advanced practice registered nurse, under the supervision of the same licensed physician or advanced practice registered nurse, in accordance with this section. An institutional setting, for the purpose of this section, is a hospital, a physician clinic, a skilled nursing facility, or a swing bed facility in which a patient's medical records are readily available to the licensed physician and the licensed pharmacist. The licensed physician or the advanced practice registered nurse and the pharmacist must have access to the patient's appropriate medical records. The care provided to the patient by the pharmacist must be recorded in the patient's medical records and communicated to the licensed physician or the advanced practice registered nurse.
2. The licensed physician or the advanced practice registered nurse and the licensed pharmacist shall prepare a collaborative agreement concerning the scope of the pharmacist's prescriptive practices and shall update the agreement at least every two~~four~~ years or when they modify the scope of the pharmacist's prescriptive practices. The collaborative agreement, or an amendment to the agreement, is effective when approved by the board of medical examiners or board of nursing and the board of pharmacy.
3. The collaborative agreement may be between a medical director and pharmacist-in-charge. The medical director and pharmacist-in-charge shall report to the respective board of any physician, advanced practice registered nurse, and pharmacist covered under the agreement.
- 3.4. If there is a change in personnel under the collaborative agreement, a pharmacist, physician, and advanced practice registered nurse under the collaborative agreement shall send immediate notice of the change to the respective licensing board of that individual. Unless necessary, a change in personnel does not necessitate board approval of the collaborative agreement.
5. The collaborative agreement must include a provision that requires the licensed pharmacist to immediately notify the licensed physician or advanced practice registered nurse when the licensed pharmacist initiates or modifies a drug therapy.
- 4.6. The board of medical examiners and the board of pharmacy shall jointly establish a prescriptive practices committee consisting of two physicians appointed by the board of medical examiners, one physician appointed by the North Dakota medical association, one pharmacist appointed by the board of pharmacy, and one pharmacist appointed by the North Dakota pharmaceutical association. The prescriptive practices committee shall develop and submit proposed rules concerning the implementation of this section to the board of medical examiners and the board of pharmacy. Any rules to implement this section must be jointly

adopted by the board of medical examiners or the board of nursing and the board of pharmacy.

President of the Senate

Speaker of the House

Secretary of the Senate

Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Sixty-fourth Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2173.

Senate Vote: Yeas 47 Nays 0 Absent 0

House Vote: Yeas 88 Nays 0 Absent 6

Secretary of the Senate

Received by the Governor at _____ M. on _____, 2015.

Approved at _____ M. on _____, 2015.

Governor

Filed in this office this _____ day of _____, 2015,
at _____ o'clock _____ M.

Secretary of State