

1 State of Arkansas  
2 93rd General Assembly  
3 Regular Session, 2021  
4

# A Bill

HOUSE BILL 1174

5 By: Representative Boyd  
6 By: Senator Bledsoe  
7

## For An Act To Be Entitled

9 AN ACT TO ELIMINATE THE NURSING HOME CONSULTANT  
10 PHARMACIST PERMIT AND THE DISEASE STATE MANAGEMENT  
11 CREDENTIAL; AND FOR OTHER PURPOSES.  
12  
13

## Subtitle

15 TO ELIMINATE THE NURSING HOME CONSULTANT  
16 PHARMACIST PERMIT AND THE DISEASE STATE  
17 MANAGEMENT CREDENTIAL.  
18  
19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
21

22 SECTION 1. Arkansas Code § 17-92-101(2), concerning the definition of  
23 "credentialing" relating to pharmacists and pharmacies, is amended to read as  
24 follows:

25 (2) "Credentialing" means the issuance of or approval by the  
26 Arkansas State Board of Pharmacy of a credential issued to a pharmacist by an  
27 agency approved by the Arkansas State Board of Pharmacy certifying that the  
28 pharmacist has met the standards of competency established by the Arkansas  
29 State Board of Pharmacy for ~~disease state management or other~~ pharmacy  
30 services necessitating a credential;  
31

32 SECTION 2. Arkansas Code § 17-92-108(a)(9), concerning fees charged by  
33 the Arkansas State Board of Pharmacy, is repealed.

34 ~~(9)(A) The fee for issuance of and the reinstatement of a~~  
35 ~~nursing home consultant pharmacist permit shall not exceed thirty five~~  
36 ~~dollars (\$35.00).~~



1                   ~~(B) The fee for the renewal of a nursing home consultant~~  
 2 ~~pharmacist permit shall not exceed thirty five dollars (\$35.00) per year;~~  
 3

4           SECTION 3. Arkansas Code § 17-92-310(a)(1)(A), concerning failure to  
 5 renew a license, permit, or credential with the Arkansas State Board of  
 6 Pharmacy, is amended to read as follows:

7           (a)(1)(A) All retail pharmacy permits, out-of-state pharmacy permits,  
 8 specialty pharmacy permits, ~~nursing home consultant pharmacist permits,~~ and  
 9 pharmacist licenses shall expire on December 31 of the first odd-numbered  
 10 year following the date of issuance.

11  
 12           SECTION 4. Arkansas Code § 17-92-310(b), concerning failure to renew a  
 13 license, permit, or credential with the Arkansas State Board of Pharmacy, is  
 14 amended to read as follows:

15           (b) The penalty for late payment of renewal for pharmacists,  
 16 pharmacies, wholesaler/manufacturer of legend drugs and controlled  
 17 substances, hospital, and institutional, ~~and nursing home consultant~~ permits  
 18 shall be as listed in § 17-92-108, and if renewal remains unpaid ~~on~~ by April  
 19 1 of ~~any~~ the year, the license shall be void.

20  
 21           SECTION 5. Arkansas Code § 17-92-316(a) and (b), concerning  
 22 credentials required for professional pharmacy services, are amended to read  
 23 as follows:

24           (a)(1) The Arkansas State Board of Pharmacy may provide by rule for  
 25 credentialing and approval of pharmacists to practice ~~disease state~~  
 26 ~~management and any other~~ pharmacy services determined by the board to require  
 27 a credential.

28           (2)(A) The credentials may be issued by agencies approved by the  
 29 board to pharmacists who qualify ~~pursuant to~~ as a result of meeting the  
 30 minimum competencies, standards, objectives, and qualifications determined by  
 31 the board.

32           (B) However, a credential shall not authorize the  
 33 pharmacist to practice credentialed pharmacy ~~service~~ services in Arkansas  
 34 until after the board has determined that the credentialed pharmacist meets  
 35 the minimum competencies, standards, objectives, and qualifications  
 36 determined by the board.

1 (b) The board shall adopt rules necessary and appropriate to implement  
 2 the credentialing and the board's approval of pharmacists to practice ~~disease~~  
 3 ~~state management and other~~ credentialed pharmacy services, including:

4 (1) Identification of areas of credentialed pharmacy services;

5 (2) Identification of the minimum competencies, standards,  
 6 objectives, and qualifications necessary for a credential and the board's  
 7 approval to practice in each area of credentialed pharmacy service;

8 (3) Identification of the standards for qualifying an agency to  
 9 issue credentials for areas of pharmacy services;

10 (4) The procedure and standards, which may include a practical  
 11 examination, for the board's review and approval of a credential and  
 12 determination of a pharmacist's qualifications to practice ~~disease-state~~  
 13 ~~management or other~~ credentialed pharmacy ~~service~~ services;

14 (5) The conversion of a credential previously issued by the  
 15 board for the practice of ~~disease-state management or other~~ pharmacy ~~service~~  
 16 services to a credential issued by an approved credentialing agency; and

17 (6) Continuing professional education and other measures to  
 18 maintain pharmacists' continuing competency in ~~disease-state management and~~  
 19 ~~other~~ credentialed pharmacy services.

20  
 21 SECTION 6. Arkansas Code § 17-92-412 is amended to read as follows:

22 17-92-412. Nursing home consultant ~~permit~~ pharmacist.

23 (a) ~~(1) The Arkansas State Board of Pharmacy shall provide for the~~  
 24 ~~issuance of nursing home consultant permits by rule.~~

25 ~~(2) The A nursing home consultant pharmacist-in-charge and the~~  
 26 nursing home administrator shall be jointly responsible to ensure that a  
 27 ~~valid permit~~ pharmacist license is posted at the facility at all times.

28 (b) The ~~board~~ Arkansas State Board of Pharmacy shall set by rule the  
 29 standards by which the controlled and legend drugs and devices will be  
 30 maintained in the nursing home or long-term care facility.

31 (c) The consultant ~~pharmacist-in-charge~~ pharmacist, in conjunction  
 32 with the nursing home administrator and director of nurses, shall ensure the  
 33 proper control and accountability, storage, and proper utilization of drugs  
 34 and other legend devices dispensed to patients residing in the facility  
 35 according to board standards as well as ~~those~~ standards established by state  
 36 and federal guidelines

APPROVED: 2/4/21