

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 3

BY HEALTH AND WELFARE COMMITTEE

AN ACT

1 RELATING TO PHARMACISTS; AMENDING SECTION 54-1704, IDAHO CODE, TO PROVIDE
2 THAT PRESCRIBING TUBERCULIN PURIFIED PROTEIN DERIVATIVE PRODUCTS IS
3 WITHIN THE PRACTICE OF PHARMACY; AND AMENDING CHAPTER 17, TITLE 54,
4 IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-1733E, IDAHO CODE, TO
5 PROVIDE THAT A PHARMACIST MAY PRESCRIBE AND ADMINISTER A TUBERCULIN
6 PURIFIED PROTEIN DERIVATIVE PRODUCT UNDER CERTAIN CIRCUMSTANCES.
7

8 Be It Enacted by the Legislature of the State of Idaho:

9 SECTION 1. That Section 54-1704, Idaho Code, be, and the same is hereby
10 amended to read as follows:

11 54-1704. PRACTICE OF PHARMACY. "Practice of pharmacy" means:

12 (1) The interpretation, evaluation and dispensing of prescription drug
13 orders;

14 (2) Participation in drug and device selection, drug administration,
15 prospective and retrospective drug reviews and drug or drug-related re-
16 search;

17 (3) The provision of patient counseling and the provision of those acts
18 or services necessary to provide pharmaceutical care;

19 (4) The responsibility for:

20 (a) Compounding and labeling of drugs and devices, except labeling by
21 a manufacturer, repackager or distributor of nonprescription drugs and
22 commercially packaged legend drugs and devices;

23 (b) Proper and safe storage of drugs and devices, and maintenance of
24 proper records for them; and

25 (c) The offering or performing of those acts, services, operations or
26 transactions necessary to the conduct, operation, management and con-
27 trol of pharmacy;

28 (5) The prescribing of:

29 (a) Dietary fluoride supplements when prescribed according to the Amer-
30 ican dental association's recommendations for persons whose drinking
31 water is proven to have a fluoride content below the United States de-
32 partment of health and human services' recommended concentration;

33 (b) Agents for active immunization when prescribed for susceptible per-
34 sons six (6) years of age or older for the protection from communicable
35 disease;

36 (c) Opioid antagonists pursuant to section 54-1733B, Idaho Code; ~~and~~

37 (d) Epinephrine auto-injectors pursuant to sections 54-1733C and
38 54-1733D, Idaho Code; and

39 (e) Tuberculin purified protein derivative products pursuant to sec-
40 tion 54-1733E, Idaho Code.

1 SECTION 2. That Chapter 17, Title 54, Idaho Code, be, and the same is
2 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
3 ignated as Section 54-1733E, Idaho Code, and to read as follows:

4 54-1733E. TUBERCULIN PURIFIED PROTEIN DERIVATIVE PRODUCTS -- SCREEN-
5 ING. Notwithstanding any other provision of law, a pharmacist acting in good
6 faith and exercising reasonable care may prescribe and administer a tuber-
7 culin purified protein derivative product approved by the federal food and
8 drug administration to a patient for the purpose of screening for tuberculo-
9 sis infection, provided the following conditions are met:

10 (1) Prior to prescribing and administering a tuberculin purified pro-
11 tein derivative product, the pharmacist must successfully complete a course
12 on proper test administration and interpretation of results from the United
13 States centers for disease control and prevention (CDC) or a comparable
14 course from a provider accredited by the accreditation council for pharmacy
15 education;

16 (2) The pharmacist shall follow the recommendations for Mantoux tuber-
17 culin skin testing from the CDC regarding test administration and interpre-
18 tation of results;

19 (3) Documentation of test results shall be maintained in the records of
20 the pharmacy and a copy of the results shall be made available to the patient
21 upon request; and

22 (4) If the patient is found to have a positive test reading:

23 (a) The pharmacist shall coordinate a timely referral to the patient's
24 primary care provider, if applicable, or to a local clinic to coordinate
25 further diagnostics and follow-up care; and

26 (b) A report shall be submitted to the patient's local health district
27 or to the Idaho department of health and welfare in accordance with the
28 rules governing Idaho reportable diseases.