

HOUSE REPUBLICAN STAFF ANALYSIS

Bill:	House File 555	House Committee: PASSED 2/28/23 (21-0)
Committee:	Health and Human Services	House Floor:
Floor Manager:	Rep. Michael Bergan	Senate Floor:
Date:	March 14, 2023	Governor:
Staff:	Natalie Ginty (5-2063)	

Practice of Pharmacy

- This bill updates the Pharmacy code chapter to be less prescriptive and allow the Board of Pharmacy to determine the rules of the profession based on the standard of care for pharmacists.

Section by Section Analysis

Section 1 – New Section (Iowa Code 155A.2B)

Establishes the reasonable and prudent licensee standard for pharmacists. Pharmacists may perform acts under their standard of care, as long as not prohibited by law.

Section 2 (Iowa Code 155A.3)

Adds pharmacist to the definition of “practitioner”.

Section 3 (Iowa Code 155A.3)

Adds a definition of “therapeutic substitution”.

Section 4 (Iowa Code 155A.7)

Outlines the requirements of pharmacist-interns, pharmacy technicians, and pharmacy support persons, including registration, proof of current certification, and pharmacist oversight.

Sections 5-8 (Iowa Code 155A.8, 155A.9, 155A.12)

Conforming changes

Section 9 (Iowa Code 155A.12)

Allows the Board of Pharmacy to revoke a licensee if the pharmacist does not act within the standard of care or displays incapacity of a nature preventing engagement in the practice of pharmacy.

Sections 10-11 (Iowa Code 155A.13)

Implements more concise language related to the ability for the Board to adopt rules for telepharmacies.

Section 12 (Iowa Code 155A.13)

Strikes a requirement that the pharmacy license be in the name of the pharmacist in charge.

Section 13 (Iowa Code 155A.13A)

Requires the Board write rules governing nonresident pharmacy licenses.

Section 14 (Iowa Code 155A.18)

Allows the Board to impose up to a \$500 administrative penalty against licensees for engaging in the practice without a license, failing to complete continuing education, failing any component of a routine inspection. These penalties are not considered disciplinary action and are confidential.

Section 15 (Iowa Code 155A.19)

Implements more concise language related to notifications required to the Board.

Section 16 (Iowa Code 155A.23)

Adds a serious misdemeanor for persons found in possession of a drug that was not lawfully dispensed.

Section 17 (Iowa Code 155A.26)

Updates Board inspectors to compliance officers.

Sections 18-20 (Iowa Code 155A.26, 155A.27)

Code cleanup

Section 21 (Iowa Code 155A.27)

Prohibits a prescription from being filled more than 18 months after the date of issuance, and cannot be refilled more than 12 times. Allows pharmacists to exercise professional judgment when refilling a prescription.

Section 22 (Iowa Code 155A.32)

Establishes the law regarding therapeutic substitution, and allows the board to write rules.

Section 23 (Iowa Code 155A.39)

Makes changes to the funds collected for the program to monitor impaired pharmacists.

Section 24 (Iowa Code 155A.40)

Adds third-party logistics providers and wholesale distributor to the list of providers that criminal history can be requested of.

Sections 25-27 (Iowa Code 155A.46)

Allows pharmacists to order and administer prescription drugs, products, tests, vaccinations or treatments pursuant to statewide protocols.

Section 28 (Iowa Code 155A.47)

Conforming code change

Section 29 – Repeal

Repeals the following code sections:

- 155A.6 – Pharmacist internship program
- 155A.6A – Pharmacist technician registration
- 155A.6B – Pharmacy support person registration
- 155A.21 – Unlawful possession of prescription drug or device – penalty
- 155A.28 – Label of prescription drugs – interchangeable biological product list
- 155A.29 – Prescription refills