

**REVENUE: No revenue impact**

**FISCAL: Minimal fiscal impact, no statement issued**

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<b>Action:</b>	Do Pass as Amended and Be Printed Engrossed
<b>Vote:</b>	10 - 0 - 0
<b>Yeas:</b>	Bruun, Cannon, Dembrow, Garrett, Harker, Kennemer, Kotek, Maurer, Thompson, Greenlick
<b>Nays:</b>	0
<b>Exc.:</b>	0
<b>Prepared By:</b>	Roxie Cuellar, Administrator
<b>Meeting Dates:</b>	4/17, 4/20

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**WHAT THE MEASURE DOES:** Updates certain statutes relating to regulation of pharmacies and pharmacists. Removes current requirement that practitioner's instruction not to substitute generic drugs be in practitioner's or pharmacist's handwriting. Establishes that instruction to not substitute can also be conveyed electronically or by telephone. Authorizes State Board of Pharmacy to adopt rules approving dispensing drugs by vending machine. Allows pharmacist to personally possess or store drugs within the scope of the pharmacist's practice. Requires that pharmacies continue to post signs relating to substitution of generic drugs.

**ISSUES DISCUSSED:**

- Dispensing of drugs by vending machine
- Continues signage requirement relating to generic drugs
- Housekeeping nature of the bill

**EFFECT OF COMMITTEE AMENDMENT:** Restores the requirement that pharmacies post signs relating to substitution of generic drugs.

**BACKGROUND:** Most of the bill is essentially housekeeping in nature. As examples, it adds a definition of "Practice of pharmacy" and redefines Intern in the definition section of the statute. It makes grammatical changes, such as "it shall be unlawful" to "a person may not engage in." The bill makes it clearer that pharmacists can possess and store drugs within the scope of their practice. Some changes are more substantial. The present ordinance prohibits the dispensing of drugs to the public by vending machines. The bill allows the Board of Pharmacy to adopt rules that would allow such dispensing. Proponents contend that changes in technology relating to such dispensing make rules by the State Board of Pharmacy necessary. The bill also imposes record keeping requirements, to be adopted by rule, for practitioners' receipt of complimentary samples of controlled substances under ORS 475.005.

4/27/2009 2:50:00 PM

*This summary has not been adopted or officially endorsed by action of the committee.*