

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action: Do Pass with Amendments to the A-Engrossed Measure (Printed B-Engrossed)

Vote: 5 - 0 - 0

Yeas: Kruse, Monnes Anderson, Telfer, Verger, Morrisette

Nays: 0

Exc.: 0

Prepared By: Jennifer Kellar, Administrator

Meeting Dates: 5/18

WHAT THE MEASURE DOES: Updates specific statutes relating to regulation of pharmacies and pharmacists. Removes the current requirement that a practitioner's instruction to not substitute generic drugs be in the practitioner's or pharmacist's handwriting and establishes that such instruction may also be conveyed electronically or by telephone. Requires that pharmacies continue to post signs relating to the substitution of generic drugs. Allows pharmacists to personally possess and/or store drugs within their scope of practice. Authorizes the State Board of Pharmacy to adopt rules approving dispensing drugs by vending machines. Declares emergency, takes effect upon passage.

ISSUES DISCUSSED:

- Housekeeping provisions in measure
- Clarification by Legislative Counsel on use of "may" and "shall" in measure
- Intern requirements and definition modification
- Aligning statutory language with current Accreditation for Pharmacy Education standards
- Use of vending machines to dispense drugs

EFFECT OF COMMITTEE AMENDMENT: Adds emergency clause.

BACKGROUND: Current law prohibits the dispensing of drugs to the public by vending machines. House Bill 3103-B allows the Board of Pharmacy to adopt rules that would allow such dispensing. Proponents contend that changes in technology relating to such dispensing require rulemaking by the State Board of Pharmacy. The measure imposes record keeping requirements, to be adopted by rule, for practitioner's receipt of complimentary samples of controlled substances under ORS 475.005. The measure also makes housekeeping, technical and grammatical changes.