

HB 2397-2
(LC 2450)
3/8/17 (SCT/ps)

Requested by HOUSE COMMITTEE ON HEALTH CARE (at the request of Oregon Medical Association, Oregon Nurses Association, State Board of Pharmacy and Oregon Pharmacy Coalition)

**PROPOSED AMENDMENTS TO
HOUSE BILL 2397**

1 On page 1 of the printed bill, line 22, after “practitioner” insert “who has
2 prescriptive authority and is”.

3 On page 2, delete lines 15 through 45 and insert:

4 “(6)(a) The board shall establish by rule a formulary of drugs and devices,
5 as recommended by the committee, that a pharmacist may prescribe and
6 dispense to a patient pursuant to a diagnosis by a health care practitioner
7 who has prescriptive authority and who is qualified to make the diagnosis.

8 “(b) The formulary may include post-diagnostic drugs and devices such
9 as diabetic testing supplies, emergency refills of insulin, albuterol inhalers,
10 epinephrine autoinjectors, smoking cessation aids, discharge medications for
11 transitions of care, rapid strep tests and spacers.

12 **“SECTION 2. (1) The State Board of Pharmacy shall convene a**
13 **Public Health and Pharmacy Formulary Advisory Committee consist-**
14 **ing of seven members, appointed by the Governor, for the purpose of**
15 **advising the board in promulgating rules under ORS 689.645. The**
16 **committee shall consist of:**

17 **“(a) Two physicians licensed to practice medicine under ORS 677.100**
18 **to 677.228;**

19 **“(b) Two advanced practice registered nurses who have prescriptive**
20 **authority and who are licensed by the Oregon State Board of Nursing;**
21 **and**

1 “(c) Three pharmacists licensed by the State Board of Pharmacy,
2 at least one of whom is employed as a community pharmacist and one
3 of whom is employed as a health system pharmacist.

4 “(2) The Oregon Medical Board, the Oregon State Board of Nursing
5 and the State Board of Pharmacy may each submit to the Governor
6 a list of up to three names of individuals to be considered for mem-
7 bership for each of the vacancies required to be filled by licensees of
8 each board.

9 “(3) The term of each member of the committee is two years. A
10 member whose term has expired shall continue to serve until a suc-
11 cessor is appointed. If a vacancy occurs, a person who is a represen-
12 tative of the same state agency as the departing member shall serve
13 for the remainder of the term.

14 “(4) The committee shall elect one of its members to serve as
15 chairperson.

16 “(5) Members of the committee are entitled to compensation and
17 expenses as provided in ORS 292.495, to be paid by the State Board of
18 Pharmacy.

19 “(6) A member of the committee who fails to attend two consecutive
20 meetings of the committee shall be removed from the committee un-
21 less the failure to attend was because of a serious health condition of
22 the member or a family member of the member.

23 “(7) The committee shall recommend to the State Board of Phar-
24 macy for adoption by rule of the board a formulary of drugs and de-
25 vices that a pharmacist may prescribe and dispense to a patient
26 pursuant to a diagnosis by a health care practitioner qualified to make
27 the diagnosis. The committee shall periodically review the formulary
28 and recommend the revisions to the board for adoption by rule.

29 “(8) A pharmacist may request that the committee add a drug or
30 device to the formulary by submitting to the committee a request form

1 **prescribed by the State Board of Pharmacy. The addition to the**
2 **formulary of a drug or device under this subsection shall be considered**
3 **a revision to the formulary that the committee may recommend to the**
4 **board for adoption by rule.”.**

5 On page 3, delete line 1.

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