LC 86 2024 Regular Session 1/4/24 (SCT/ps)

# DRAFT

#### SUMMARY

Digest: The Act tells the Oregon Health Authority to pay a pharmacist who tests or treats a person for a virus. Lets a pharmacist test for and treat a virus. Starts on October 1, 2024, and ends on June 30, 2026. (Flesch Readability Score: 62.3).

Allows a pharmacist to test for and treat a certain virus. Requires the Oregon Health Authority medical assistance program to reimburse a pharmacist for testing and treatment of the virus.

Takes effect on the 91st day following adjournment sine die. Sunsets June 30, 2026.

#### 1

# A BILL FOR AN ACT

2 Relating to pharmacy; creating new provisions; amending ORS 689.005; and

3 prescribing an effective date.

4 Be It Enacted by the People of the State of Oregon:

5 <u>SECTION 1.</u> Section 2 of this 2024 Act is added to and made a part 6 of ORS chapter 414.

<u>SECTION 2.</u> The Oregon Health Authority shall reimburse a
pharmacist or pharmacy for testing and treatment, as described in
section 4 of this 2024 Act, performed or provided by the pharmacist.

<u>SECTION 3.</u> Section 4 of this 2024 Act is added to and made a part
 of ORS chapter 689.

<u>SECTION 4.</u> (1) Consistent with the protocols adopted by the State Board of Pharmacy by rule, as recommended by the Public Health and Pharmacy Formulary Advisory Committee, a pharmacist may test and provide treatment, including drug therapy, for severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2).

1 (2) When testing for SARS-CoV-2, a pharmacist may use:

2 (a) A screening procedure that can be safely performed by a
3 pharmacist; or

4 (b) A test that:

5 (A) Guides the pharmacist's clinical decision-making;

6 (B) Is determined by the Centers for Medicare and Medicaid Ser-7 vices to qualify as a waived test under the Clinical Laboratory Im-8 provement Amendments of 1988 (P.L. 100-578, 42 U.S.C. 201 and 263a) 9 or federal regulations adopted pursuant to the Clinical Laboratory 10 Improvement Amendments of 1988; and

11 (C) Is approved by the board by rule for use under this section.

(3) A pharmacist may delegate to a pharmacy technician or an in tern under the pharmacist's supervision the administrative and tech nical tasks of performing a task described in subsection (2) of this
 section.

(4) The board may adopt rules as necessary to carry out this sec tion.

18 **SECTION 5.** ORS 689.005 is amended to read:

19 689.005. As used in this chapter:

(1) "Administer" means the direct application of a drug or device whether
by injection, inhalation, ingestion, or any other means, to the body of a patient or research subject by:

23 (a) A practitioner or the practitioner's authorized agent; or

(b) The patient or research subject at the direction of the practitioner.

(2) "Approved continuing pharmacy education program" means those
seminars, classes, meetings, workshops and other educational programs on
the subject of pharmacy approved by the State Board of Pharmacy.

(3) "Clinical pharmacy agreement" means an agreement between a
pharmacist or pharmacy and a health care organization or a physician as
defined in ORS 677.010 or a naturopathic physician as defined in ORS 685.010
that permits the pharmacist to engage in the practice of clinical pharmacy

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1 for the benefit of the patients of the health care organization, physician or2 naturopathic physician.

3 (4) "Continuing pharmacy education" means:

4 (a) Professional, pharmaceutical post-graduate education in the general
5 areas of socio-economic and legal aspects of health care;

6 (b) The properties and actions of drugs and dosage forms; and

7 (c) The etiology, characteristics and therapeutics of the disease state.

8 (5) "Continuing pharmacy education unit" means the unit of measurement
9 of credits for approved continuing education courses and programs.

10 (6) "Deliver" or "delivery" means the actual, constructive or attempted 11 transfer of a drug or device other than by administration from one person 12 to another, whether or not for a consideration.

13 (7) "Device" means an instrument, apparatus, implement, machine, 14 contrivance, implant, in vitro reagent or other similar or related article, in-15 cluding any component part or accessory, which is required under federal 16 or state law to be prescribed by a practitioner and dispensed by a 17 pharmacist.

(8) "Dispense" or "dispensing" means the preparation and delivery of a
prescription drug pursuant to a lawful order of a practitioner in a suitable
container appropriately labeled for subsequent administration to or use by
a patient or other individual entitled to receive the prescription drug.

(9) "Distribute" means the delivery of a drug other than by administeringor dispensing.

24 (10) "Drug" means:

official Articles drugs in the United States (a) recognized as 25official Pharmacopoeia, National Formulary, official Homeopathic 26Pharmacopoeia, other drug compendium or any supplement to any of them; 27

(b) Articles intended for use in the diagnosis, cure, mitigation, treatment
or prevention of disease in a human or other animal;

30 (c) Articles, other than food, intended to affect the structure or any
 31 function of the body of humans or other animals; and

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1 (d) Articles intended for use as a component of any articles specified in 2 paragraph (a), (b) or (c) of this subsection.

3 (11) "Drug order" means a written order, in a hospital or other inpatient 4 care facility, for an ultimate user of any drug or device issued and signed 5 by a practitioner, or an order transmitted by other means of communication 6 from a practitioner, that is immediately reduced to writing by a pharmacist, 7 licensed nurse or other practitioner.

8 (12) "Drug outlet" means a pharmacy, nursing home, shelter home, 9 convalescent home, extended care facility, drug abuse treatment center, penal 10 institution, hospital, family planning clinic, student health center, retail 11 store, wholesaler, manufacturer, mail-order vendor or other establishment 12 with facilities located within or out of this state that is engaged in dis-13 pensing, delivery or distribution of drugs within this state.

14 (13) "Drug room" means a secure and lockable location within an inpa-15 tient care facility that does not have a licensed pharmacy.

16 (14) "Electronically transmitted" or "electronic transmission" means a 17 communication sent or received through technological apparatuses, including 18 computer terminals or other equipment or mechanisms linked by telephone 19 or microwave relays, or similar apparatus having electrical, digital, mag-20 netic, wireless, optical, electromagnetic or similar capabilities.

(15) "Injectable hormonal contraceptive" means a drug composed of a
hormone or a combination of hormones that is approved by the United States
Food and Drug Administration to prevent pregnancy and that a health care
practitioner administers to the patient by injection.

(16) "Institutional drug outlet" means hospitals and inpatient care facilities where medications are dispensed to another health care professional for
administration to patients served by the hospitals or facilities.

(17) "Intern" means a person who is enrolled in or has completed a course
of study at a school or college of pharmacy approved by the board and who
is licensed with the board as an intern.

31 (18) "Internship" means a professional experiential program approved by

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the board under the supervision of a licensed pharmacist registered with theboard as a preceptor.

(19) "Labeling" means the process of preparing and affixing of a label to
any drug container exclusive, however, of the labeling by a manufacturer,
packer or distributor of a nonprescription drug or commercially packaged
legend drug or device.

7 (20) "Manufacture" means the production, preparation, propagation, compounding, conversion or processing of a device or a drug, either directly or 8 indirectly by extraction from substances of natural origin or independently 9 by means of chemical synthesis or by a combination of extraction and 10 chemical synthesis and includes any packaging or repackaging of the sub-11 12stances or labeling or relabeling of its container, except that this term does not include the preparation or compounding of a drug by an individual for 13 their own use or the preparation, compounding, packaging or labeling of a 14 drug: 15

(a) By a practitioner as an incident to administering or dispensing of a
 drug in the course of professional practice; or

(b) By a practitioner or by the practitioner's authorization under supervision of the practitioner for the purpose of or as an incident to research,
teaching or chemical analysis and not for sale.

(21) "Manufacturer" means a person engaged in the manufacture of drugs.
(22) "Nonprescription drug outlet" means a business or other establishment that is open to the general public for the sale or nonprofit distribution of nonprescription drugs and is registered under ORS 689.305.

(23) "Nonprescription drugs" means drugs that may be sold without a prescription and that are prepackaged for use by the consumer and labeled in accordance with the requirements of the statutes and regulations of this state and the federal government.

(24) "Person" means an individual, corporation, partnership, association
 or other legal entity.

31 (25) "Pharmacist" means an individual licensed by this state to engage in

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1 the practice of pharmacy or to engage in the practice of clinical pharmacy.

2 (26) "Pharmacy" means a place that meets the requirements of rules of 3 the board, is licensed and approved by the board where the practice of 4 pharmacy may lawfully occur and includes apothecaries, drug stores, 5 dispensaries, hospital outpatient pharmacies, pharmacy departments and 6 prescription laboratories but does not include a place used by a manufacturer 7 or wholesaler.

8 (27) "Pharmacy technician" means a person licensed by the board who 9 assists in the practice of pharmacy pursuant to rules of the board.

10 (28) "Practice of clinical pharmacy" means:

(a) The health science discipline in which, in conjunction with the
patient's other practitioners, a pharmacist provides patient care to optimize
medication therapy and to promote disease prevention and the patient's
health and wellness;

(b) The provision of patient care services, including but not limited to
 post-diagnostic disease state management services; and

17 (c) The practice of pharmacy by a pharmacist pursuant to a clinical18 pharmacy agreement.

19 (29) "Practice of pharmacy" means:

20 (a) The interpretation and evaluation of prescription orders;

(b) The compounding, dispensing and labeling of drugs and devices, except labeling by a manufacturer, packer or distributor of nonprescription drugs and commercially packaged legend drugs and devices;

(c) The prescribing and administering of vaccines and immunizations and
the providing of patient care services pursuant to ORS 689.645;

(d) The administering of drugs and devices to the extent permitted under
ORS 689.655;

28 (e) The participation in drug selection and drug utilization reviews;

(f) The proper and safe storage of drugs and devices and the maintenance
of proper records regarding the safe storage of drugs and devices;

31 (g) The responsibility for advising, where necessary or where regulated,

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1 of therapeutic values, content, hazards and use of drugs and devices;

2 (h) The monitoring of therapeutic response or adverse effect to drug3 therapy;

4 (i) The optimizing of drug therapy through the practice of clinical phar-5 macy;

6 (j) Patient care services, including medication therapy management and 7 comprehensive medication review;

8 (k) The offering or performing of those acts, services, operations or 9 transactions necessary in the conduct, operation, management and control 10 of pharmacy;

11 (L) The prescribing and administering of injectable hormonal 12 contraceptives and the prescribing and dispensing of self-administered 13 hormonal contraceptives pursuant to ORS 689.689;

14 (m) The prescribing and dispensing of emergency refills of insulin and 15 associated insulin-related devices and supplies pursuant to ORS 689.696;

16 (n) The prescribing, dispensing and administering of preexposure 17 prophylactic antiretroviral therapies and post-exposure prophylactic 18 antiretroviral therapies, pursuant to ORS 689.704 and rules adopted by the 19 board under ORS 689.645 and 689.704; [and]

(o) The delegation of tasks to other health care providers who are appropriately trained and authorized to perform the delegated tasks[.]; and

(p) The testing and treatment of severe acute respiratory syndrome
 coronavirus 2 (SARS-CoV-2) pursuant to section 4 of this 2024 Act and
 rules adopted by the board pursuant to section 4 of this 2024 Act.

(30) "Practitioner" means a person licensed and operating within the
scope of such license to prescribe, dispense, conduct research with respect
to or administer drugs in the course of professional practice or research:

28 (a) In this state; or

(b) In another state or territory of the United States if the person does
not reside in Oregon and is registered under the federal Controlled Substances Act.

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1 (31) "Preceptor" means a pharmacist or a person licensed by the board to 2 supervise the internship training of a licensed intern.

3 (32) "Prescription drug" or "legend drug" means a drug that is:

4 (a) Required by federal law, prior to being dispensed or delivered, to be 5 labeled with either of the following statements:

6 (A) "Caution: Federal law prohibits dispensing without prescription"; or

7 (B) "Caution: Federal law restricts this drug to use by or on the order
8 of a licensed veterinarian"; or

(b) Required by any applicable federal or state law or regulation to be
dispensed on prescription only or is restricted to use by practitioners only.
(33) "Prescription" or "prescription drug order" means a written, oral or
electronically transmitted direction, given by a practitioner authorized to
prescribe drugs, for the preparation and use of a drug. When the context
requires, "prescription" also means the drug prepared under such written,
oral or electronically transmitted direction.

(34) "Retail drug outlet" means a place used for the conduct of the retail
sale, administering or dispensing or compounding of drugs or chemicals or
for the administering or dispensing of prescriptions and licensed by the board
as a place where the practice of pharmacy may lawfully occur.

(35) "Self-administered hormonal contraceptive" means a drug composed of a hormone or a combination of hormones that is approved by the United States Food and Drug Administration to prevent pregnancy and that the patient to whom the drug is prescribed may administer to oneself. "Selfadministered hormonal contraceptive" includes, but is not limited to, hormonal contraceptive patches and hormonal contraceptive pills.

26 (36) "Third-party logistics provider" means an entity that:

(a) Provides or coordinates warehousing of, or other logistics services for,
a product in interstate commerce on behalf of a manufacturer, wholesale
distributor or dispenser of the product; and

30 (b) Does not take ownership of, or have responsibility to direct the sale 31 or disposition of, the product.

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1 (37) "Unit dose" means a sealed single-unit container so designed that the 2 contents are administered to the patient as a single dose, direct from the 3 container. Each unit dose container must bear a separate label, be labeled 4 with the name and strength of the medication, the name of the manufacturer 5 or distributor, an identifying lot number and, if applicable, the expiration 6 date of the medication.

7 (38) "Wholesale distributor drug outlet" means a person, other than a 8 manufacturer, manufacturer's colicensed partner, third-party logistics pro-9 vider or repackager, as defined in 21 U.S.C. 360eee(16), that is engaged in 10 wholesale distribution, as defined in 21 U.S.C. 353(e)(4).

11 **SECTION 6.** ORS 689.005, as amended by section 5 of this 2024 Act, is 12 amended to read:

13 689.005. As used in this chapter:

(1) "Administer" means the direct application of a drug or device whether
by injection, inhalation, ingestion, or any other means, to the body of a patient or research subject by:

17 (a) A practitioner or the practitioner's authorized agent; or

18 (b) The patient or research subject at the direction of the practitioner.

(2) "Approved continuing pharmacy education program" means those
seminars, classes, meetings, workshops and other educational programs on
the subject of pharmacy approved by the State Board of Pharmacy.

(3) "Clinical pharmacy agreement" means an agreement between a pharmacist or pharmacy and a health care organization or a physician as defined in ORS 677.010 or a naturopathic physician as defined in ORS 685.010 that permits the pharmacist to engage in the practice of clinical pharmacy for the benefit of the patients of the health care organization, physician or naturopathic physician.

28 (4) "Continuing pharmacy education" means:

(a) Professional, pharmaceutical post-graduate education in the general
 areas of socio-economic and legal aspects of health care;

31 (b) The properties and actions of drugs and dosage forms; and

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1 (c) The etiology, characteristics and therapeutics of the disease state.

2 (5) "Continuing pharmacy education unit" means the unit of measurement
3 of credits for approved continuing education courses and programs.

4 (6) "Deliver" or "delivery" means the actual, constructive or attempted
5 transfer of a drug or device other than by administration from one person
6 to another, whether or not for a consideration.

7 (7) "Device" means an instrument, apparatus, implement, machine, 8 contrivance, implant, in vitro reagent or other similar or related article, in-9 cluding any component part or accessory, which is required under federal 10 or state law to be prescribed by a practitioner and dispensed by a 11 pharmacist.

12 (8) "Dispense" or "dispensing" means the preparation and delivery of a 13 prescription drug pursuant to a lawful order of a practitioner in a suitable 14 container appropriately labeled for subsequent administration to or use by 15 a patient or other individual entitled to receive the prescription drug.

(9) "Distribute" means the delivery of a drug other than by administeringor dispensing.

18 (10) "Drug" means:

**States** (a) Articles recognized drugs in the official United 19 as official official Pharmacopoeia, National Formulary, Homeopathic 2021Pharmacopoeia, other drug compendium or any supplement to any of them;

(b) Articles intended for use in the diagnosis, cure, mitigation, treatment
or prevention of disease in a human or other animal;

(c) Articles, other than food, intended to affect the structure or anyfunction of the body of humans or other animals; and

(d) Articles intended for use as a component of any articles specified inparagraph (a), (b) or (c) of this subsection.

(11) "Drug order" means a written order, in a hospital or other inpatient care facility, for an ultimate user of any drug or device issued and signed by a practitioner, or an order transmitted by other means of communication from a practitioner, that is immediately reduced to writing by a pharmacist,

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1 licensed nurse or other practitioner.

2 (12) "Drug outlet" means a pharmacy, nursing home, shelter home, 3 convalescent home, extended care facility, drug abuse treatment center, penal 4 institution, hospital, family planning clinic, student health center, retail 5 store, wholesaler, manufacturer, mail-order vendor or other establishment 6 with facilities located within or out of this state that is engaged in dis-7 pensing, delivery or distribution of drugs within this state.

8 (13) "Drug room" means a secure and lockable location within an inpa-9 tient care facility that does not have a licensed pharmacy.

10 (14) "Electronically transmitted" or "electronic transmission" means a 11 communication sent or received through technological apparatuses, including 12 computer terminals or other equipment or mechanisms linked by telephone 13 or microwave relays, or similar apparatus having electrical, digital, mag-14 netic, wireless, optical, electromagnetic or similar capabilities.

(15) "Injectable hormonal contraceptive" means a drug composed of a
hormone or a combination of hormones that is approved by the United States
Food and Drug Administration to prevent pregnancy and that a health care
practitioner administers to the patient by injection.

(16) "Institutional drug outlet" means hospitals and inpatient care facilities where medications are dispensed to another health care professional for
administration to patients served by the hospitals or facilities.

(17) "Intern" means a person who is enrolled in or has completed a course
of study at a school or college of pharmacy approved by the board and who
is licensed with the board as an intern.

(18) "Internship" means a professional experiential program approved by
the board under the supervision of a licensed pharmacist registered with the
board as a preceptor.

(19) "Labeling" means the process of preparing and affixing of a label to
any drug container exclusive, however, of the labeling by a manufacturer,
packer or distributor of a nonprescription drug or commercially packaged
legend drug or device.

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1 (20) "Manufacture" means the production, preparation, propagation, compounding, conversion or processing of a device or a drug, either directly or  $\mathbf{2}$ indirectly by extraction from substances of natural origin or independently 3 by means of chemical synthesis or by a combination of extraction and 4 chemical synthesis and includes any packaging or repackaging of the sub-5stances or labeling or relabeling of its container, except that this term does 6 not include the preparation or compounding of a drug by an individual for 7 their own use or the preparation, compounding, packaging or labeling of a 8 drug: 9

(a) By a practitioner as an incident to administering or dispensing of a
 drug in the course of professional practice; or

(b) By a practitioner or by the practitioner's authorization under supervision of the practitioner for the purpose of or as an incident to research, teaching or chemical analysis and not for sale.

(21) "Manufacturer" means a person engaged in the manufacture of drugs.
(22) "Nonprescription drug outlet" means a business or other establishment that is open to the general public for the sale or nonprofit distribution
of nonprescription drugs and is registered under ORS 689.305.

(23) "Nonprescription drugs" means drugs that may be sold without a prescription and that are prepackaged for use by the consumer and labeled in accordance with the requirements of the statutes and regulations of this state and the federal government.

(24) "Person" means an individual, corporation, partnership, association
or other legal entity.

(25) "Pharmacist" means an individual licensed by this state to engage in
the practice of pharmacy or to engage in the practice of clinical pharmacy.

(26) "Pharmacy" means a place that meets the requirements of rules of the board, is licensed and approved by the board where the practice of pharmacy may lawfully occur and includes apothecaries, drug stores, dispensaries, hospital outpatient pharmacies, pharmacy departments and prescription laboratories but does not include a place used by a manufacturer

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1 or wholesaler.

2 (27) "Pharmacy technician" means a person licensed by the board who 3 assists in the practice of pharmacy pursuant to rules of the board.

4 (28) "Practice of clinical pharmacy" means:

5 (a) The health science discipline in which, in conjunction with the 6 patient's other practitioners, a pharmacist provides patient care to optimize 7 medication therapy and to promote disease prevention and the patient's 8 health and wellness;

9 (b) The provision of patient care services, including but not limited to 10 post-diagnostic disease state management services; and

(c) The practice of pharmacy by a pharmacist pursuant to a clinicalpharmacy agreement.

13 (29) "Practice of pharmacy" means:

14 (a) The interpretation and evaluation of prescription orders;

(b) The compounding, dispensing and labeling of drugs and devices, except
labeling by a manufacturer, packer or distributor of nonprescription drugs
and commercially packaged legend drugs and devices;

(c) The prescribing and administering of vaccines and immunizations and
the providing of patient care services pursuant to ORS 689.645;

(d) The administering of drugs and devices to the extent permitted under
ORS 689.655;

(e) The participation in drug selection and drug utilization reviews;

(f) The proper and safe storage of drugs and devices and the maintenance
of proper records regarding the safe storage of drugs and devices;

(g) The responsibility for advising, where necessary or where regulated,
of therapeutic values, content, hazards and use of drugs and devices;

(h) The monitoring of therapeutic response or adverse effect to drugtherapy;

(i) The optimizing of drug therapy through the practice of clinical phar-macy;

31 (j) Patient care services, including medication therapy management and

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1 comprehensive medication review;

2 (k) The offering or performing of those acts, services, operations or
3 transactions necessary in the conduct, operation, management and control
4 of pharmacy;

5 (L) The prescribing and administering of injectable hormonal 6 contraceptives and the prescribing and dispensing of self-administered 7 hormonal contraceptives pursuant to ORS 689.689;

8 (m) The prescribing and dispensing of emergency refills of insulin and 9 associated insulin-related devices and supplies pursuant to ORS 689.696;

10 (n) The prescribing, dispensing and administering of preexposure 11 prophylactic antiretroviral therapies and post-exposure prophylactic 12 antiretroviral therapies, pursuant to ORS 689.704 and rules adopted by the 13 board under ORS 689.645 and 689.704; **and** 

(o) The delegation of tasks to other health care providers who are ap propriately trained and authorized to perform the delegated tasks[; and]

16 [(p) The testing and treatment of severe acute respiratory syndrome 17 coronavirus 2 (SARS-CoV-2) pursuant to section 4 of this 2024 Act and rules 18 adopted by the board pursuant to section 4 of this 2024 Act].

(30) "Practitioner" means a person licensed and operating within the
scope of such license to prescribe, dispense, conduct research with respect
to or administer drugs in the course of professional practice or research:

22 (a) In this state; or

(b) In another state or territory of the United States if the person does
not reside in Oregon and is registered under the federal Controlled Substances Act.

(31) "Preceptor" means a pharmacist or a person licensed by the board to
 supervise the internship training of a licensed intern.

28 (32) "Prescription drug" or "legend drug" means a drug that is:

(a) Required by federal law, prior to being dispensed or delivered, to be
labeled with either of the following statements:

31 (A) "Caution: Federal law prohibits dispensing without prescription"; or

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1 (B) "Caution: Federal law restricts this drug to use by or on the order 2 of a licensed veterinarian"; or

3 (b) Required by any applicable federal or state law or regulation to be 4 dispensed on prescription only or is restricted to use by practitioners only.

5 (33) "Prescription" or "prescription drug order" means a written, oral or 6 electronically transmitted direction, given by a practitioner authorized to 7 prescribe drugs, for the preparation and use of a drug. When the context 8 requires, "prescription" also means the drug prepared under such written, 9 oral or electronically transmitted direction.

10 (34) "Retail drug outlet" means a place used for the conduct of the retail 11 sale, administering or dispensing or compounding of drugs or chemicals or 12 for the administering or dispensing of prescriptions and licensed by the board 13 as a place where the practice of pharmacy may lawfully occur.

(35) "Self-administered hormonal contraceptive" means a drug composed of a hormone or a combination of hormones that is approved by the United States Food and Drug Administration to prevent pregnancy and that the patient to whom the drug is prescribed may administer to oneself. "Selfadministered hormonal contraceptive" includes, but is not limited to, hormonal contraceptive patches and hormonal contraceptive pills.

20 (36) "Third-party logistics provider" means an entity that:

(a) Provides or coordinates warehousing of, or other logistics services for,
a product in interstate commerce on behalf of a manufacturer, wholesale
distributor or dispenser of the product; and

(b) Does not take ownership of, or have responsibility to direct the saleor disposition of, the product.

(37) "Unit dose" means a sealed single-unit container so designed that the contents are administered to the patient as a single dose, direct from the container. Each unit dose container must bear a separate label, be labeled with the name and strength of the medication, the name of the manufacturer or distributor, an identifying lot number and, if applicable, the expiration date of the medication.

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1 (38) "Wholesale distributor drug outlet" means a person, other than a 2 manufacturer, manufacturer's colicensed partner, third-party logistics pro-3 vider or repackager, as defined in 21 U.S.C. 360eee(16), that is engaged in 4 wholesale distribution, as defined in 21 U.S.C. 353(e)(4).

5 <u>SECTION 7.</u> The amendments to ORS 689.005 by section 6 of this 6 2024 Act become operative on June 30, 2026.

<u>SECTION 8.</u> Sections 2 and 4 of this 2024 Act are repealed on June
30, 2026.

9 <u>SECTION 9.</u> (1) Sections 2 and 4 of this 2024 Act and the amend-10 ments to ORS 689.005 by section 5 of this 2024 Act become operative 11 on October 1, 2024.

(2) The Oregon Health Authority and the State Board of Pharmacy
may take any action before the operative date specified in this section
that is necessary to enable the authority and the board to exercise,
on or after the operative date specified in subsection (1) of this section,
all of the duties, functions and powers conferred on the authority and
the board by sections 2 and 4 of this 2024 Act and the amendments to
ORS 689.005 by section 5 of this 2024 Act.

<u>SECTION 10.</u> This 2024 Act takes effect on the 91st day after the
 date on which the 2024 regular session of the Eighty-second Legislative
 Assembly adjourns sine die.

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