

**HOUSE BILL NO. 1388**

Introduced by

Representatives Nottestad, Ekstrom, Gorder

Senators T. Mathern, Robinson, Sand

1 A BILL for an Act to amend and reenact subsection 23 of section 43-15-01 of the North Dakota  
2 Century Code, relating to the definition of practice of pharmacy.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Subsection 23 of section 43-15-01 of the 1997  
5 Supplement to the North Dakota Century Code is amended and reenacted as follows:

6 23. "Practice of pharmacy" means the interpretation, evaluation, and monitoring of  
7 prescription orders and patient drug therapy; the compounding, dispensing,  
8 labeling of drugs and devices except labeling by a manufacturer, packer, or  
9 distributor of nonprescription drugs and commercially packaged legend drugs and  
10 devices; the participation in drug selection, drug monitoring, drug administration,  
11 drug regimen review, the provision of these acts or services necessary as a  
12 primary health care provider of pharmaceutical care, and drug utilization  
13 evaluations; the proper and safe storage of drugs and devices and the  
14 maintenance of proper records ~~therefor~~ for this storage; the responsibility for  
15 advising, consulting, and educating ~~where~~ if necessary or ~~where~~ if regulated,  
16 patients, public, and other health care providers on the rational, safe, and  
17 cost-effective use of drugs including therapeutic values, content, hazards, and  
18 appropriate use of drugs and devices; the participation in interpreting and applying  
19 pharmacokinetic data and other pertinent laboratory data to design safe and  
20 effective drug dosage regimens; ~~where~~ if appropriate and ~~where~~ if regulated, the  
21 participation in drug research either scientific or clinical as investigator or in  
22 collaboration with other investigators for the purposes of studying the effects of  
23 drugs on animals or human subjects, with other drugs or chemicals, and with drug  
24 delivery devices; emergency pharmacy practice; prescriptive practices as limited

1           ~~herein~~ under this chapter; the performance of laboratory tests to provide  
2           pharmaceutical care services which are waived under the Federal Clinical  
3           Laboratory Improvement Act of 1988 [Pub. L. 100-578, section 2, 102 Stat. 2903;  
4           42 U.S.C. 263a et seq.], as amended; and the offering or performing of those acts,  
5           services, operations, or transactions necessary in the conduct, operation,  
6           management, and control of pharmacy.