

**SENATE BILL NO. 2173**

Introduced by

Senators Klein, J. Lee, Murphy

Representatives Keiser, Oversen, Weisz

1 A BILL for an Act to amend and reenact section 43-15-31.4 of the North Dakota Century Code,  
2 relating to the governance of prescriptive practices for pharmacists.

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

4 **SECTION 1. AMENDMENT.** Section 43-15-31.4 of the North Dakota Century Code is  
5 amended and reenacted as follows:

6 **43-15-31.4. Limited prescriptive practices.**

- 7 1. A licensed pharmacist ~~in an institutional setting~~ has limited prescriptive practices to  
8 initiate or modify drug therapy following diagnosis ~~and initial patient assessment~~ by a  
9 licensed physician, under the supervision of the ~~same~~ licensed physician, in  
10 accordance with this section. ~~An institutional setting, for the purpose of this section, is~~  
11 ~~a hospital, a physician clinic, a skilled nursing facility, or a swing bed facility in which a~~  
12 ~~patient's medical records are readily available to the licensed physician and the~~  
13 ~~licensed pharmacist~~The licensed physician and pharmacist must have access to the  
14 patient's appropriate medical records. The care provided to the patient by the  
15 pharmacist must be recorded in the patient's medical records and communicated to  
16 the licensed physician.
- 17 2. The licensed physician and the ~~licensed~~ pharmacist shall prepare a collaborative  
18 agreement concerning the scope of the pharmacist's prescriptive practices and shall  
19 update the agreement at least every ~~two~~four years or when they modify the scope of  
20 the pharmacist's prescriptive practices. The collaborative agreement, or an  
21 amendment to the agreement, is effective when approved by the board of medical  
22 examiners and the board of pharmacy.
- 23 3. The collaborative agreement may be between a medical director and  
24 pharmacist-in-charge. The medical director and pharmacist-in-charge shall report to

1           each board which pharmacists and physicians are covered under the agreement. If  
2           there is a change or addition to which pharmacists or licensed physicians are included  
3           in the collaborative agreement, immediately the medical director and the  
4           pharmacist-in-charge shall send notice of the change or addition to the board of  
5           medical examiners and board of pharmacy.

6       3.4. The collaborative agreement must include a provision that requires the licensed-  
7           pharmacist to immediately notify the licensed physician when the licensed pharmacist  
8           initiates or modifies a drug therapy.

9       4.5. ~~The board of medical examiners and the board of pharmacy shall jointly establish a~~  
10           ~~prescriptive practices committee consisting of two physicians appointed by the board~~  
11           ~~of medical examiners, one physician appointed by the North Dakota medical~~  
12           ~~association, one pharmacist appointed by the board of pharmacy, and one pharmacist~~  
13           ~~appointed by the North Dakota pharmaceutical association. The prescriptive practices~~  
14           ~~committee shall develop and submit proposed rules concerning the implementation of~~  
15           ~~this section to the board of medical examiners and the board of pharmacy. Any rules to~~  
16           ~~implement this section must be jointly adopted by the board of medical examiners and~~  
17           ~~the board of pharmacy.~~