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HOUSE JOINT RESOLUTION NO. 662
AMENDMENT IN THE NATURE OF A SUBSTITUTE
(Proposed by the House Committee on Rules
on January 31, 2019)

(Patron Prior to Substitute—Delegate Stolle)

Directing the Joint Commission on Health Care to study the dispensing of drugs and devices pursuant to pharmacy collaborative practice agreements, standing orders, and statewide protocols in the Commonwealth. Report.

WHEREAS, a pharmacist practicing in the Commonwealth may only dispense drugs or devices pursuant to a valid prescription issued by a practitioner of medicine, osteopathy, podiatry, dentistry, or veterinary medicine licensed by the Board of Medicine; a physician assistant licensed by the Board of Medicine who has entered into a practice agreement with a licensed physician or podiatrist; a nurse practitioner licensed jointly by the Boards of Medicine and Nursing who has entered into a practice agreement with a patient care team physician or who meets the requirements for practice without a practice agreement; or a TPA-certified optometrist, or pursuant to a standing order or protocol or in accordance with a collaborative practice agreement; and

WHEREAS, the roles and responsibilities of pharmacists vary depending on the authority pursuant to which they dispense drugs or devices; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the Joint Commission on Health Care be directed to study the dispensing of drugs and devices pursuant to prescriptions, pharmacy collaborative practice agreements, standing orders, and statewide protocols in the Commonwealth. In conducting its study, the Joint Commission on Health Care shall (i) review and evaluate laws and regulations governing the prescribing, dispensing, and administration of drugs and devices in the Commonwealth, including the prescribing, dispensing, and administration of drugs and devices pursuant to pharmacy collaborative practice agreements, standing orders, and statewide protocols; (ii) review the roles and responsibilities of pharmacists and other health care providers prescribing, dispensing, and administering drugs and devices in accordance with laws and regulations, including the roles and responsibilities of pharmacists and other health care providers prescribing, dispensing, and administering drugs and devices pursuant to pharmacy collaborative practice agreements, standing orders, and statewide protocols; such review shall include evaluation of the roles and responsibilities of pharmacists authorized to practice pursuant to pharmacy collaborative practice agreements, standing orders, and statewide protocols conducting patient assessments and identifying appropriate drugs or devices for dispensing or administration; (iii) determine the legal liability of pharmacists and other health care providers prescribing, dispensing, and administering drugs and devices in the Commonwealth in accordance with laws and regulations, including the legal liability of pharmacists and other health care providers prescribing, dispensing, and administering drugs and devices pursuant to pharmacy collaborative practice, agreements, standing orders, and statewide protocols; (iv) identify any changes to such laws or regulations governing the prescribing, dispensing, and administration of drugs and devices in the Commonwealth, including the prescribing, dispensing, and administration of drugs and devices by pharmacists and other health care providers pursuant to pharmacy collaborative practice agreements, standing orders, and statewide protocols, that would enhance patient access to health care in the Commonwealth; and (v) develop specific proposals to implement changes identified, including proposed amendments to laws and regulations necessary to implement such changes. In conducting its study, the Joint Commission on Health Care shall provide for stakeholder input from the Department of Health, the Department of Health Professions, the Medical Society of Virginia, and the Virginia Pharmacists Association.

Technical assistance shall be provided to the Joint Commission on Health Care by the Board of Pharmacy. All agencies of the Commonwealth shall provide assistance to the Joint Commission on Health Care for this study, upon request.

The Joint Commission on Health Care shall complete its meetings for the first year by November 30, 2019, and the chairman shall submit to the Division of Legislative Automated Systems an executive summary of its findings and recommendations no later than the first day of the 2020 Regular Session of the General Assembly. The executive summary shall state whether the Joint Commission on Health Care intends to submit to the General Assembly and the Governor a report of its findings and recommendations for publication as a House or Senate document. The executive summary and report shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.

HOUSE SUBSTITUTE

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