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SENATE BILL NO. 1154

Offered January 21, 1999

A BILL to amend and reenact § 54.1-3300 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 54.1-3300.1, relating to the practice of pharmacy.

Patrons—Lambert, Chichester, Colgan, Edwards, Gartlan, Hawkins, Lucas, Marsh, Martin, Marye, Miller, Y.B., Newman, Potts, Quayle, Saslaw, Schrock, Stosch, Trumbo and Walker; Delegates: Baker, Baskerville, Behm, Bloxom, Brink, Cox, Cranwell, Crittenden, Darner, Davies, Devolites, Howell, Ingram, Johnson, Jones, S.C., Kilgore, McDonnell, McEachin, Moran, Morgan, Nixon, Purkey, Putney, Reid, Rhodes, Ruff, Rust, Spruill, Van Yahres, Wagner and Watts

Referred to Committee on Education and Health

Be it enacted by the General Assembly of Virginia:

1. That § 54.1-3300 of the Code of Virginia is amended and reenacted, and that the Code of Virginia is amended by adding a section numbered 54.1-3300.1 as follows:

§ 54.1-3300. Definitions.

As used in this chapter, unless the context requires a different meaning:

"Board" means the Board of Pharmacy.

"Collaborative agreement" means a voluntary, written agreement between one or more pharmacists involved directly in patient care and one or more practitioners of medicine, osteopathy, or podiatry involved directly in patient care which authorizes cooperative practice procedures with respect to patients of such practitioners. Collaborative practice procedures shall be related to treatment using drug therapy or medical devices, under defined conditions or limitations, for the purpose of improving patient outcomes. A collaborative agreement is not required for the management of patients of an inpatient facility.

"Dispense" means to deliver a drug to an ultimate user or research subject by or pursuant to the lawful order of a practitioner, including the prescribing and administering, packaging, labeling or compounding necessary to prepare the substance for delivery.

"Pharmacist" means a person holding a license issued by the Board to practice pharmacy.

"Pharmacy" means every establishment or institution in which the practice of pharmacy is conducted; drugs, medicines or medicinal chemicals are dispensed or offered for sale, or a sign is displayed bearing the word or words "pharmacist," "pharmacy," "apothecary," "drugstore," "druggist," "drugs," "medicine store," "drug sundries," "prescriptions filled," or any similar words intended to indicate that the practice of pharmacy is being conducted.

"Practice of pharmacy" means the personal health service that is concerned with the art and science of selecting, procuring, recommending, administering, preparing, compounding, packaging and dispensing of drugs, medicines and devices used in the diagnosis, treatment, or prevention of disease, whether compounded or dispensed on a prescription or otherwise legally dispensed or distributed, and shall include the proper and safe storage and distribution of drugs, the maintenance of proper records, and the responsibility of providing information concerning drugs and medicines and their therapeutic values and uses in the treatment and prevention of disease, and the management of patient care under the terms of a collaborative agreement as defined in this section.

Other terms used in the context of this chapter shall be defined as provided in Chapter 34 (§ 54.1-3400 et seq.) of this title unless the context requires a different meaning.

§ 54.1-3300.1. Participation in collaborative agreements; guidelines.

Any one or more pharmacists involved directly in patient care may participate with any one or more practitioners of medicine, osteopathy, or podiatry involved directly in patient care in collaborative agreements which authorize cooperative practice procedures related to treatment using drug therapy or medical devices, under defined conditions or limitations, for the purpose of improving patient outcomes. Collaborative agreements may include the modification, continuation or discontinuation of drug therapy pursuant to written protocols; the ordering of laboratory tests; or other patient care management measures related to monitoring or improving the outcomes of drug or device therapy. No such collaborative agreement shall exceed the scope of practice of the respective parties. The Boards of Medicine and Pharmacy shall adopt guidelines concerning the use of protocols. These guidelines will be established to facilitate the development and implementation of safe and effective collaborative agreements between the appropriate practitioners and pharmacists and shall create a procedure, including opportunity for public input, to review and, if necessary, revise these guidelines at least every two years. These guidelines shall not be construed to be or establish standards of care or to be

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60 *regulations. The guidelines shall be exempt from the requirements of the Administrative Process Act*
61 *(§ 9-6.14.1 et seq.).*