

House Bill 361 (COMMITTEE SUBSTITUTE)

By: Representative Stephens of the 164th

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 4 of Title 26 of the Official Code of Georgia Annotated, relating to
2 pharmacists and pharmacies, so as to enact the "Safe Medications Practice Act"; to provide
3 for a short title; to provide legislative findings and intent; to provide for definitions; to
4 provide for collaboration between hospital pharmacists and members of the medical staff on
5 drug management therapy for a patient in an institutional setting; to provide for rules and
6 regulations; to provide for related matters; to provide for an effective date; to repeal
7 conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA

9 **SECTION 1.**

10 Chapter 4 of Title 26 of the Official Code of Georgia Annotated, relating to pharmacists and
11 pharmacies, is amended by adding a new article to read as follows:

12 "ARTICLE 13

13 26-4-210.

14 This article shall be known and may be cited as the 'Safe Medications Practice Act.'

15 26-4-211.

16 (a) The General Assembly finds and declares that:

17 (1) Medications are essential for the effective treatment and prevention of illness and
18 disease, and medications, particularly dangerous drugs, are recognized to be complex
19 chemical compounds which may cause untoward side effects, adverse reactions, and
20 other undesirable and potentially harmful effects;

21 (2) Hospital pharmacists are highly trained in the therapeutic use of medications and
22 have expertise in the safe, appropriate, and cost-effective use of medications; and

23 (3) Therefore, it is essential that physicians, pharmacists, and other clinical health care
24 practitioners in an institutional setting collaborate to promote safe and effective
25 medication therapy for the institution's patients.

26 (b) The intent of the General Assembly in enacting this legislation is to maximize patient
27 safety, to ensure safe and desirable medication therapy outcomes, and to achieve desired
28 therapeutic goals.

29 26-4-212.

30 As used in this article, the term:

31 (1) 'Collaborate' means to work jointly with others as approved by an order from a
32 physician member of the institution's medical staff for care and treatment of the ordering
33 physician's patients or pursuant to a protocol established in accordance with medical staff
34 policy.

35 (2) 'Hospital pharmacist' means a pharmacist that is employed by, or under contract with,
36 an institution and practicing in an institutional setting.

37 (3) 'Institution' means any licensed hospital, nursing home, personal care home, or
38 hospice.

39 26-4-213.

40 Hospital pharmacists shall be authorized to collaborate with members of the medical staff
41 in an institution on drug therapy management.

42 26-4-214.

43 (a) The State Board of Pharmacy shall establish rules and regulations governing a hospital
44 pharmacist acting pursuant to Code Section 26-4-213 in the provision of drug therapy
45 management in institutions in consultation or collaboration with physicians. Such rules
46 may include the utilization of a hospital pharmacist's skills regarding dangerous drugs to
47 promote medication safety. Such rules shall include the ordering of clinical laboratory tests
48 in the institutional setting and the interpretation of results related to medication use when
49 approved by a physician member of the institutions's medical staff for the care and
50 treatment of the ordering physician's patients or pursuant to a protocol established in
51 accordance with medical staff policy.

52 (b) The Georgia Composite Medical Board shall establish rules and regulations governing
53 a physician acting pursuant to this article."

54 **SECTION 2.**

55 This Act shall become effective on July 1, 2010.

56

SECTION 3.

57 All laws and parts of laws in conflict with this Act are repealed.