

House Bill 361

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 intent; to provide definitions; to provide for
4 collaboration between physicians, hospital pharmacists, and other clinical health care
5 practitioners on drug management therapy for a patient in an institutional setting; to provide
6 for rules and regulations; to provide for related matters; to provide for an effective date; to
7 repeal 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 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) Pharmacists are highly trained medication therapy experts in the therapeutic use of
22 medications and a primary source of scientifically valid clinical expertise and information
23 regarding the safe, appropriate, and cost-effective use of medications; and

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

27 26-4-212.

28 As used in this article, the term:

29 (1) 'Collaborate' means to work jointly with others.

30 (2) 'Hospital pharmacist' means a pharmacist that is employed by an institution and
31 practicing in an institutional setting.

32 (3) 'Institution' means those facilities defined in paragraph (18.1) of Code Section 26-4-5.

33 (4) 'Therapeutic' means treatment rendered to a patient for the prevention, improvement,
34 or cure of an illness or disease including the provision of medication therapy.

35 26-4-213.

36 (a) Physicians, hospital pharmacists, and other clinical health care practitioners in an
37 institution shall collaborate to the greatest extent practicable on determining drug
38 management therapy for a patient in such institution, utilizing their unique knowledge
39 bases. The intent of the collaboration shall be to ensure the patient's safe and desirable
40 medication therapy outcomes, to achieve desired therapeutic goals, and to maximize
41 medication safety. During this collaboration, patients shall be evaluated for potential risks
42 associated with the use of dangerous drugs prior to beginning drug therapy and shall be
43 monitored through appropriate clinical review, evaluations, and testing to prevent or
44 minimize adverse drug events.

45 (b) Hospital pharmacists shall be authorized to participate in drug therapy management by
46 protocol or other legal authority established or approved by a member of the institution
47 medical staff for the care and treatment of patients.

48 26-4-214.

49 The State Board of Pharmacy is authorized to establish rules and regulations governing a
50 pharmacist in the provision of clinical patient care and medication therapy management in
51 direct patient care settings, practicing independently, or in consultation or collaboration
52 with other clinical health care practitioners. Such rules may include the utilization of a
53 pharmacist's unique set of knowledge and skills regarding dangerous drugs to promote
54 medication safety and reduce the risk of adverse drug reactions. Such rules may also

55 include the regulation of a pharmacist's involvement in optimizing patients' dangerous drug
56 therapy through clinical evaluation of patients to maximize safe medication therapy. Such
57 rules shall include the ordering of clinical laboratory tests in the institutional setting and
58 the interpretation of results related to medication use."

59 **SECTION 2.**

60 This Act shall become effective on January 1, 2010.

61 **SECTION 3.**

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