

The House Committee on Health and Human Services offers the following substitute to SB 216:

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 revise a provision relating to the use of remote order  
3 entry by hospital pharmacies; to provide that the medical director of an emergency service  
4 provider may contract with more than one pharmacy as a provider of drugs and consultant  
5 services; to provide for related matters; to provide for an effective date; to repeal conflicting  
6 laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Chapter 4 of Title 26 of the Official Code of Georgia Annotated, relating to pharmacists and  
10 pharmacies, is amended by revising subparagraph (c)(7)(B) of Code Section 26-4-80, relating  
11 to dispensing, electronically transmitted drug orders, refills, and Schedule II controlled  
12 substance prescriptions, as follows:

13 "(B) The rules established pursuant to subparagraph (A) of this paragraph shall  
14 specifically authorize hospital pharmacies to use remote order entry when:

15 (i) The licensed pharmacist is not physically present in the hospital, the hospital  
16 pharmacy is closed, and a licensed pharmacist will be physically present in the  
17 hospital pharmacy within ~~16~~ 24 hours; ~~or~~

18 (ii) ~~When at~~ At least one licensed pharmacist is physically present in the hospital  
19 pharmacy and at least one other licensed pharmacist is practicing pharmacy in the  
20 hospital but not physically present in the hospital pharmacy; or

21 (iii) At least one licensed pharmacist is physically present in a hospital within this  
22 state which remotely serves only on weekends not more than four other hospitals  
23 under the same ownership or management which have an average daily census of less  
24 than 12 acute patients."

25 **SECTION 2.**

26 Said chapter is further amended by revising Code Section 26-4-116, relating to emergency  
 27 service providers, contracts with issuing pharmacy, record keeping, and inspections, as  
 28 follows:

29 "26-4-116.

30 (a) Dangerous drugs and controlled substances as defined under Chapter 13 of Title 16  
 31 shall only be issued to the medical director of an emergency service provider from a  
 32 ~~pharmacy~~ pharmacies licensed in this state only in accordance with the provisions of this  
 33 Code section.

34 (b) The medical director of an emergency service provider and ~~the~~ an issuing pharmacy  
 35 must have a signed contract or agreement designating ~~the issuing~~ such pharmacy as ~~the a~~  
 36 provider of drugs and consultant services and a copy must be filed with the state board and  
 37 the Department of Public Health prior to any drugs being issued. ~~The medical director of~~  
 38 ~~an emergency service provider may only have one contractual relationship with one~~  
 39 ~~pharmacy per county serviced by such emergency service provider.~~

40 (c) A manual of policies and procedures for the handling, storage, labeling, and record  
 41 keeping of all drugs must be written, approved, and signed by the medical director of an  
 42 emergency service provider and the pharmacist in charge of ~~the~~ an issuing pharmacy. The  
 43 manual shall contain procedures for the safe and effective use of drugs from acquisition to  
 44 final disposition.

45 (d) A written record of all drugs issued to the medical director of an emergency service  
 46 provider must be maintained by the issuing pharmacy and emergency service provider.  
 47 Agents of the Georgia Drugs and Narcotics Agency may review all records to determine  
 48 the accuracy and proper accountability for the use of all drugs.

49 (e) To provide for the proper control and accountability of drugs, a written record of all  
 50 drugs used by such emergency service provider shall be provided to the issuing pharmacy  
 51 within 72 hours of use.

52 (f) A pharmacist from ~~the~~ a contracting issuing pharmacy shall physically inspect the  
 53 drugs of such emergency service provider to determine compliance with appropriate  
 54 policies and procedures for the handling, storage, labeling, and record keeping of all drugs  
 55 not less than annually and maintain records of such inspection for a period of not less than  
 56 two years. Such an inspection shall, at a minimum, verify that:

- 57 (1) Drugs are properly stored, especially those requiring special storage conditions;
- 58 (2) Drugs are properly accounted for by personnel of such emergency service provider;
- 59 (3) Proper security measures to prohibit unauthorized access to the drugs are  
 60 implemented; and
- 61 (4) All policies and procedures are followed and enforced.

62 (g) All outdated, expired, unused, or unusable drugs shall be returned to the issuing  
63 pharmacy for proper disposition in a manner acceptable to the board."

64 **SECTION 3.**

65 This Act shall become effective upon its approval by the Governor or upon its becoming law  
66 without such approval.

67 **SECTION 4.**

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