

LEGISLATURE OF THE STATE OF IDAHO
Sixty-first Legislature First Regular Session - 2011

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 271

BY WAYS AND MEANS COMMITTEE

AN ACT

RELATING TO THE OUT-OF-STATE MAIL SERVICE PHARMACY ACT; AMENDING SECTION
54-1747, IDAHO CODE, TO PROVIDE FOR PROSPECTIVE DRUG REVIEW AND TO PRO-
VIDE FOR COUNSELING.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 54-1747, Idaho Code, be, and the same is hereby
amended to read as follows:

54-1747. PATIENT COMMUNICATION. (1) Every out-of-state mail service
pharmacy shall, during its regular hours of operation, but not less than six
(6) days per week, and for a minimum of forty (40) hours per week, provide a
toll-free telephone service to facilitate communication between patients in
this state and a pharmacist at the pharmacy who has access to the patient's
records. This toll-free number shall be disclosed on a label affixed to each
container of drugs dispensed to patients in this state.

(2) Before dispensing any prescription, an out-of-state mail service
pharmacy shall have a licensed pharmacist complete a prospective drug review
as defined in section 54-1705, Idaho Code.

(3) When dispensing a prescription for a new medication, or when other-
wise deemed necessary or appropriate, an out-of-state mail service pharmacy
shall require a licensed pharmacist to counsel the patient or caregiver. In
addition to the counseling requirements provided in section 54-1705, Idaho
Code, counseling shall include such supplemental written materials as re-
quired by law. The counseling provided pursuant to this subsection shall
be by person to person voice contact with the patient or caregiver through
the telephone or other telecommunications service. Nothing in this section
shall require an out-of-state mail service pharmacy to provide counseling
when a patient or caregiver refuses such counseling or when counseling is
otherwise impossible.