

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 1

BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO UNIFORM CONTROLLED SUBSTANCES AND PHARMACISTS; AMENDING SECTION 37-2713, IDAHO CODE, TO PROVIDE PHARMACISTS WITH THE AUTHORITY TO PRESCRIBE CERTAIN COMPOUNDS, MIXTURES OR PREPARATIONS AND TO PROVIDE RESTRICTIONS ON SUCH AUTHORITY; AND AMENDING SECTION 54-1704, IDAHO CODE, TO REVISE THE DEFINITION OF "PRACTICE OF PHARMACY."

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

SECTION 1. That Section 37-2713, Idaho Code, be, and the same is hereby amended to read as follows:

37-2713. SCHEDULE V. (a) Schedule V shall consist of the drugs and other substances, by whatever official name, common or usual name, chemical name, or brand name designated, listed in this section.

(b) Narcotic drugs. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation containing any of the following narcotic drugs and their salts, as set forth below.

(c) Narcotic drugs containing nonnarcotic active medicinal ingredients. Any compound, mixture, or preparation containing any of the following limited quantities of narcotic drugs or salts thereof, which shall include one (1) or more nonnarcotic active medicinal ingredients in sufficient proportion to confer upon the compound, mixture, or preparation, valuable medicinal qualities other than those possessed by the narcotic drug alone:

(1) Not more than 200 milligrams of codeine per 100 milliliters or per 100 grams;

(2) Not more than 100 milligrams of dihydrocodeine per 100 milliliters or per 100 grams;

(3) Not more than 100 milligrams of ethylmorphine per 100 milliliters or per 100 grams;

(4) Not more than 2.5 milligrams of diphenoxylate and not less than 25 micrograms of atropine sulfate per dosage unit;

(5) Not more than 100 milligrams of opium per 100 milliliters or per 100 grams;

(6) Not more than 0.5 milligrams difenoxin and not less than 25 micrograms of atropine sulfate per dosage unit.

(d) Other substances. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation which contains any quantity of the following substances, including its salts:

(1) Lacosamide;

(2) Pregabalin;

(3) Propylhexedrine (except as Benzedrex™ inhaler);

(4) Pyrovalerone.

1 (e) A pharmacist may prescribe any compound, mixture or preparation
2 that meets the requirements of paragraph (1) of subsection (c) of this sec-
3 tion pursuant to the following restrictions:

4 (1) Not more than one hundred twenty (120) cc (four (4) ounces) may be
5 prescribed to the same purchaser in any given forty-eight (48) hour pe-
6 riod.

7 (2) The ultimate user must be at least eighteen (18) years of age.

8 SECTION 2. That Section 54-1704, Idaho Code, be, and the same is hereby
9 amended to read as follows:

10 54-1704. PRACTICE OF PHARMACY. "Practice of pharmacy" means ~~the in-~~
11 ~~terpretation, evaluation~~ interpreting, evaluating, limited prescribing as
12 the board shall define in rule and dispensing of prescription drug orders;
13 participation in drug and device selection, drug administration, drug regi-
14 men reviews and drug or drug-related research; the practice of telepharmacy
15 within and across state lines; provision of patient counseling and the pro-
16 vision of those acts or services necessary to provide pharmaceutical care;
17 and the responsibility for: compounding and labeling of drugs and devices,
18 except labeling by a manufacturer, repackager or distributor of nonpre-
19 scription drugs and commercially packaged legend drugs and devices; proper
20 and safe storage of drugs and devices, and maintenance of proper records for
21 them; and the offering or performing of those acts, services, operations or
22 transactions necessary to the conduct, operation, management and control of
23 pharmacy.