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COUNCIL OF THE DISTRICT OF COLUMBIA

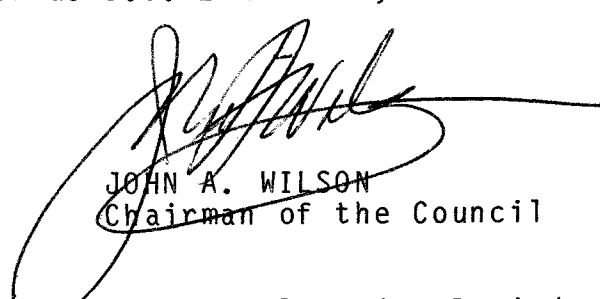
NOTICE

D.C. LAW 9-258

"Patient Counseling Temporary Amendment Act
of 1992".

Pursuant to Section 412 of the District of Columbia Self-Government and Governmental Reorganization Act, P. L. 93-198, "the Act", the Council of the District of Columbia adopted Bill No. 9-736 on first and second readings, December 15, 1992, and January 5, 1993, respectively. Following the signature of the Mayor on January 14, 1993, this legislation was assigned Act No. 9-406, published in the January 29, 1993, edition of the D.C. Register, (Vol. 40 page 808) and transmitted to Congress on January 26, 1993 for a 30-day review, in accordance with Section 602(c)(1) of the Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional Review Period has expired, and therefore, cites this enactment as D.C. Law 9-258, effective March 25, 1993.



JOHN A. WILSON
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

January 26,27

February 2,3,4,16,17,18,19,22,23,24,25,26

March 1,2,3,4,5,8,9,10,11,12,15,16,17,18,23,24

Codification

AN ACT

District of Columbia Code

D.C. ACT 9-406 (1993 Supplement)

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JANUARY 14, 1993

To amend, on a temporary basis, the District of Columbia Health Occupations Revision Act of 1985 to establish patient counseling requirements for pharmacists providing prescription services to medical assistance recipients or their caregivers.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA,
That this act may be cited as the "Patient Counseling Temporary Amendment Act of 1992."

Sec. 2. The District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Code § 2-3301.1 *et seq.*), is amended by adding a new section 1006a to read as follows:

Note,
Section
2-3310.6

"Sec. 1006a. Pharmacist consultation with medical assistance recipient or caregivers; records.

"(a) A pharmacist who provides prescription services to medical assistance recipients shall offer to discuss with each medical assistance recipient or caregiver who presents a prescription order for outpatient drugs any matter which, in the exercise of the pharmacist's professional judgment, the pharmacist deems significant, which may include the following:

- "(1) The name and description of the medication;
- "(2) The dosage form, dosage, route of administration, and duration of drug therapy;
- "(3) Special directions, precautions for preparation, administration, and use by the patient;
- "(4) Common severe side or adverse effects or interactions and therapeutic contraindications that may be encountered, including their avoidance, and the action required if they occur;
- "(5) Techniques for self-monitoring drug therapy;
- "(6) Proper storage;
- "(7) Prescription refill information; and
- "(8) Action to be taken in the event of a missed dose.

"(b) The offer to discuss may be made in the manner determined by the professional judgment of the pharmacist, which may include any 1 or a combination of the following:

- "(1) A face-to-face communication with the pharmacist or the pharmacist's designee;
- "(2) A sign posted in such a manner that it can be seen by patients;

"(3) A notation affixed to or written on the bag in which the prescription is to be dispensed;

"(4) A notation contained on the prescription container;

"(5) Communication by telephone; or

"(6) Any other manner prescribed by rule.

"(c) Nothing in this section shall be construed as requiring a pharmacist to provide consultation if the medical assistance recipient or caregiver refuses the consultation. These refusals shall be noted in the profile maintained in accord with subsection (d) of this section for a medical assistance recipient.

"(d) A pharmacist shall make a reasonable effort to obtain, record, and maintain, at the individual pharmacy, the following minimal information regarding a medical assistance recipient receiving a prescription:

"(1) Name, address, telephone number, date of birth or age, and gender;

"(2) Individual patient history when significant, including known allergies and drug reactions, and a comprehensive list of medications and relevant devices; and

"(3) Pharmacist comments relevant to the individual's drug therapy, which may be recorded either manually or electronically in the patient's profile, including any failure to accept the pharmacist's offer to counsel.

"(e) This section shall apply only to medical assistance recipients presenting prescriptions for covered outpatient drugs.

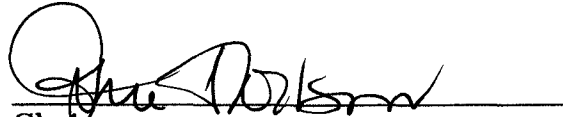
"(f) The requirements of this section do not apply to refill prescriptions.

"(g) The Mayor may adopt regulations implementing the provisions of this section to assure compliance with federal medical assistance requirements."

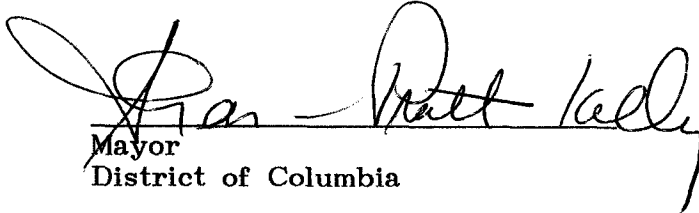
Sec. 3. If any provision of this act or the application thereof to any health care provider is deemed improper and would therefore cause the denial of any portion of the federal share of payment for Medical Assistance expenditures by the United States Department of Health and Human Services, then that provision shall be declared invalid, but the invalidity shall not affect other provisions or any other application of this act which can be given effect without the invalid provision or application.

Sec. 4. (a) This act shall take effect after a 30-day period of Congressional review following approval by the Mayor (or in the event of veto by the Mayor, action by the Council of the District of Columbia to override the veto) as provided in section 602(c)(1) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 813; D.C. Code § 1-233(c)(1)), and publication in either the District of Columbia Statutes-at-Large, or the District of Columbia Municipal Regulations.

(b) This act shall expire on the 225th day of its having taken effect.



Chairman
Council of the District of Columbia



Mayor
District of Columbia

APPROVED: January 14, 1993



COUNCIL OF THE DISTRICT OF COLUMBIA

Council Period Nine

RECORD OF OFFICIAL COUNCIL VOTE

Bill 9-736

DOCKET NO: _____

☐ Item on Consent Calendar

☒ ACTION & DATE: _____

Adopted First Reading, 12-15-92

☒ VOICE VOTE: _____

Approved

Recorded vote on request

Absent: _____

Ray, Brazil and Thomas

☐ ROLL CALL VOTE: — RESULT _____

COUNCIL MEMBER	AYE	NAY	N.V.	AB	COUNCIL MEMBER	AYE	NAY	N.V.	AB	COUNCIL MEMBER	AYE	NAY	N.V.	AB
CHMN. WILSON					JARVIS					ROLARK				
BRAZIL					LIGHTFOOT					SMITH, JR.				
CRAWFORD					MASON					THOMAS, SR.				
CROPP					NATHANSON									
EVANS					RAY									

X — Indicates Vote

AB — Absent

N.V. — Present, not voting

CERTIFICATION RECORD

[Signature]
Secretary to the Council

January 7, 1993
Date

☒ Item on Consent Calendar

☒ ACTION & DATE: _____

Adopted Final Reading, 1-5-93

☒ VOICE VOTE: _____

Approved

Recorded vote on request

Absent: _____

Wilson

☐ ROLL CALL VOTE: — RESULT _____

COUNCIL MEMBER	AYE	NAY	N.V.	AB	COUNCIL MEMBER	AYE	NAY	N.V.	AB	COUNCIL MEMBER	AYE	NAY	N.V.	AB
CHMN. WILSON					EVANS					RAY				
BARRY					JARVIS					SMITH, JR.				
BRAZIL					LIGHTFOOT					THOMAS, SR.				
CHAVOUS					MASON									
CROPP					NATHANSON									

X — Indicates Vote

AB — Absent

N.V. — Present, not voting

CERTIFICATION RECORD

[Signature]
Secretary to the Council

January 7, 1993
Date

☐ Item on Consent Calendar

☐ ACTION & DATE: _____

☐ VOICE VOTE: _____

Recorded vote on request

Absent: _____

☐ ROLL CALL VOTE: — RESULT _____

COUNCIL MEMBER	AYE	NAY	N.V.	AB	COUNCIL MEMBER	AYE	NAY	N.V.	AB	COUNCIL MEMBER	AYE	NAY	N.V.	AB
CHMN. WILSON					EVANS					RAY				
BARRY					JARVIS					SMITH, JR.				
BRAZIL					LIGHTFOOT					THOMAS, SR.				
CHAVOUS					MASON									
CROPP					NATHANSON									

X — Indicates Vote

AB — Absent

N.V. — Present, not voting

CERTIFICATION RECORD

Secretary to the Council

Date