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Martin  
3/27/14

**CS FOR HOUSE BILL NO. 281(L&C)**  
**IN THE LEGISLATURE OF THE STATE OF ALASKA**  
**TWENTY-EIGHTH LEGISLATURE - SECOND SESSION**

**BY THE HOUSE LABOR AND COMMERCE COMMITTEE**

**Offered:**  
**Referred:**

**Sponsor(s): REPRESENTATIVES GATTIS, Keller, Tarr**

**A BILL**  
**FOR AN ACT ENTITLED**

1 **"An Act relating to prescription of drugs by a physician without a physical**  
2 **examination."**

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 **\* Section 1.** AS 08.64 is amended by adding a new section to article 3 to read:

5 **Sec. 08.64.364. Prescription of drugs without physical examination.** (a) The  
6 board may not impose disciplinary sanctions on a physician for prescribing,  
7 dispensing, or administering a prescription drug to a person without conducting a  
8 physical examination if

9 (1) the prescription drug is

10 (A) not a controlled substance; or

11 (B) a controlled substance and is prescribed, dispensed, or  
12 administered by a physician when an appropriate licensed health care provider  
13 is present with the patient to assist the physician with examination, diagnosis,  
14 and treatment;

1                   (2) the physician is located in this state and the physician or another  
2 physician in the physician's group practice is available to provide follow-up care; and

3                   (3) the person consents to sending a copy of all records of the  
4 encounter to the person's primary care provider if the prescribing physician is not the  
5 person's primary care provider, and the physician sends the records to the person's  
6 primary care provider.

7                   (b) In this section,

8                   (1) "controlled substance" has the meaning given in AS 11.71.900;

9                   (2) "prescription drug" has the meaning given in AS 08.80.480;

10                   (3) "primary care provider" has the meaning given in AS 21.07.250.