

AMENDMENT

OFFERED IN THE
TO: HB 159

BY _____

1 Page 1, line 3, following "**dentistry**";:

2 Insert "**relating to the practice of pharmacy**";

3

4 Page 2, lines 2 - 3:

5 Delete all material and insert:

6 "(b) The commissioner shall adopt regulations to implement this chapter. The
7 regulations under this chapter shall"

8

9 Page 2, line 25, following "opioid":

10 Insert ", or for inadvertent administration of an opioid,"

11

12 Page 15, line 14:

13 Delete "a"

14 Insert "[A]"

15 Delete "diagnosis"

16 Insert "[DIAGNOSIS]"

17

18 Page 15, line 16:

19 Delete "a"

20 Insert "[A]"

21

22 Page 15, line 17:

1 Delete "diagnosis"

2 Insert "[DIAGNOSIS]"

3
4 Page 16, following line 24:

5 Insert a new bill section to read:

6 **"* Sec. 19.** AS 08.68.100(a), as amended by sec. 10, ch. 25, SLA 2016, is amended to read:

7 (a) The board shall

8 (1) adopt regulations necessary to implement this chapter, including
9 regulations

10 (A) pertaining to practice as an advanced **practice registered**
11 nurse [PRACTITIONER] and a certified registered nurse anesthetist; **regulations**
12 **for an advanced practice registered nurse who holds a valid federal Drug**
13 **Enforcement Administration registration number must address training in**
14 **pain management and opioid use and addiction;**

15 (B) necessary to implement AS 08.68.331 - 08.68.336 relating to
16 certified nurse aides in order to protect the health, safety, and welfare of clients
17 served by nurse aides;

18 (C) pertaining to retired nurse status; and

19 (D) establishing criteria for approval of practical nurse education
20 programs that are not accredited by a national nursing accrediting body;

21 (2) approve curricula and adopt standards for basic education programs
22 that prepare persons for licensing under AS 08.68.190;

23 (3) provide for surveys of the basic nursing education programs in the
24 state at the times it considers necessary;

25 (4) approve education programs that meet the requirements of this chapter
26 and of the board, and deny, revoke, or suspend approval of education programs for failure
27 to meet the requirements;

28 (5) examine, license, and renew the licenses of qualified applicants;

29 (6) prescribe requirements for competence before a former nurse may
30 resume the practice of nursing under this chapter;

31 (7) define by regulation the qualifications and duties of the executive

1 administrator and delegate authority to the executive administrator that is necessary to
2 conduct board business;

3 (8) develop reasonable and uniform standards for nursing practice;

4 (9) publish advisory opinions regarding whether nursing practice
5 procedures or policies comply with acceptable standards of nursing practice as defined
6 under this chapter;

7 (10) require applicants under this chapter to submit fingerprints and the
8 fees required by the Department of Public Safety under AS 12.62.160 for criminal justice
9 information and a national criminal history record check; the department shall submit the
10 fingerprints and fees to the Department of Public Safety for a report of criminal justice
11 information under AS 12.62 and a national criminal history record check under
12 AS 12.62.400;

13 (11) require that a licensed advanced practice registered nurse
14 [PRACTITIONER] who has a federal Drug Enforcement Administration registration
15 number register with the controlled substance prescription database under
16 AS 17.30.200(o)."

17
18 Renumber the following bill sections accordingly.

19
20 Page 18, line 15:

21 Delete "a"

22 Insert "[A]"

23 Delete "diagnosis"

24 Insert "[DIAGNOSIS]"

25
26 Page 18, line 18:

27 Delete "a"

28 Insert "[A]"

29 Delete "diagnosis"

30 Insert "[DIAGNOSIS]"

Page 19, following line 15:

Insert a new bill section to read:

"* Sec. 24. AS 08.72.140 is amended to read:

Sec. 08.72.140. Qualifications for licensure. An applicant for licensure as an optometrist

(1) shall be a graduate of a school or college of optometry recognized by the board;

(2) may not have committed an act in any jurisdiction that would have constituted a violation of this chapter or regulations adopted under this chapter at the time the act was committed;

(3) may not have been disciplined by an optometry licensing entity in another jurisdiction and may not be the subject of a pending disciplinary proceeding conducted by an optometry licensing entity in another jurisdiction; however, the board may consider the disciplinary action and, in the board's discretion, determine if the person is qualified for licensure;

(4) shall have successfully completed

(A) the written and practical portions of an examination on ocular pharmacology approved by the board that tests the licensee's or applicant's knowledge of the characteristics, pharmacological effects, indications, contraindications, and emergency care associated with the prescription and use of pharmaceutical agents;

(B) a nontopical therapeutic pharmaceutical agent course of at least 23 hours approved by the board or an examination approved by the board on the treatment and management of ocular disease; and

(C) an optometry and nontopical therapeutic pharmaceutical agent injection course of at least seven hours approved by the board or equivalent training acceptable to the board; and

(5) shall meet other qualifications for licensure as established under this chapter and regulations adopted by the board under AS 08.72.050 **regulations for qualifications for licensees who hold a valid federal Drug Enforcement Administration number must address training in pain management and opioid use**

1 **and addiction.**"

2
3 Renumber the following bill sections accordingly.

4
5 Page 23, line 9, following "prescribed.", through line 16:

6 Delete all material.

7
8 Page 23, line 17:

9 Delete "(c)"

10 Insert "(b)"

11
12 Page 24, lines 20 - 29:

13 Delete all material and insert:

14 **"* Sec. 31.** AS 17.30.200(a), as amended by sec. 21, ch. 25, SLA 2016, is amended to read:

15 (a) The controlled substance prescription database is established in the Board of
16 Pharmacy. The purpose of the database is to contain data as described in this section
17 regarding every prescription for a schedule II, III, or IV controlled substance under
18 federal law dispensed in the state to a person other than those administered to a patient at
19 a health care facility **or a correctional facility, except when prescribing opioids to an**
20 **inmate at the time of the inmate's release.**"

21
22 Page 25, line 8:

23 Delete "**daily** [WEEKLY]"

24 Insert "weekly"

25
26 Page 25, following line 23:

27 Insert a new bill section to read:

28 **"* Sec. 33.** AS 17.30.200(b), as amended by sec. 32, of this Act, is amended to read:

29 (b) The pharmacist-in-charge of each licensed or registered pharmacy, regarding
30 each schedule II, III, or IV controlled substance under federal law dispensed by a
31 pharmacist under the supervision of the pharmacist-in-charge, and each practitioner who

1 directly dispenses a schedule II, III, or IV controlled substance under federal law other
2 than those administered to a patient at a health care facility or a correctional facility,
3 except when prescribing opioids to an inmate at the time of the inmate's release, shall
4 submit to the board, by a procedure and in a format established by the board, the
5 following information for inclusion in the database on at least a **daily** [WEEKLY] basis:

6 (1) the name of the prescribing practitioner and the practitioner's federal
7 Drug Enforcement Administration registration number or other appropriate identifier;

8 (2) the date of the prescription;

9 (3) the date the prescription was filled and the method of payment; this
10 paragraph does not authorize the board to include individual credit card or other account
11 numbers in the database;

12 (4) the name, address, and date of birth of the person for whom the
13 prescription was written;

14 (5) the name and national drug code of the controlled substance;

15 (6) the quantity and strength of the controlled substance dispensed;

16 (7) the name of the drug outlet dispensing the controlled substance; and

17 (8) the name of the pharmacist or practitioner dispensing the controlled
18 substance and other appropriate identifying information."

19
20 Renumber the following bill sections accordingly.

21
22 Page 27, lines 21 - 25:

23 Delete all material and insert:

24 "(e) The failure of a pharmacist-in-charge **or a** [,] pharmacist [, OR
25 PRACTITIONER] to register or submit information to the database as required under this
26 section is grounds for the board to take disciplinary action against the license or
27 registration of the pharmacy or pharmacist. **The failure of a practitioner to register or**
28 **review the database as required by this section is grounds for the practitioner's** [OR
29 FOR ANOTHER] licensing board to take disciplinary action against **the** [A]
30 practitioner."

Page 29, line 23:

Delete all material and insert:

"* Sec. 40. Sections 22, 24, 26, 28, 30, 32, 52, and 73, ch. 25, SLA 2016, are repealed."

Page 29, line 27:

Delete "and the Department of Commerce, Community, and Economic Development"

Page 29, following line 30:

Insert a new subsection to read:

"(b) The Department of Commerce, Community, and Economic Development may adopt regulations necessary to implement the changes made by this Act. The regulations take effect under AS 44.62 (Administrative Procedure Act), but not before the effective date of the relevant provision of this Act implemented by the regulation."

Page 29, line 31:

Delete "(b)"

Insert "(c)"

Page 30, line 3:

Delete "28"

Insert "30"

Page 30, line 5:

Delete "28"

Insert "30"

Page 30, line 6:

Delete all material and insert:

"* Sec. 43. Section 28 of this Act takes effect on the effective date of sec. 12, ch. 25, SLA 2016.

*** Sec. 44.** Section 31 of this Act takes effect on the effective date of sec. 21, ch. 25, SLA 2016.

1 * **Sec. 45.** Section 32 of this Act takes effect on the effective date of sec. 23, ch. 25, SLA 2016.
2 * **Sec. 46.** Section 34 of this Act takes effect on the effective date of sec. 25, ch. 25, SLA 2016.
3 * **Sec. 47.** Section 35 of this Act takes effect on the effective date of sec. 27, ch. 25, SLA 2016.
4 * **Sec. 48.** Sections 36 and 37 of this Act take effect on the effective date of sec. 34, ch. 25,
5 SLA 2016.
6 * **Sec. 49.** Sections 2, 3, 7 - 14, 19, 21, 24 - 26, 33, and 38 of this Act take effect July 1, 2018.
7 * **Sec. 50.** Sections 1 and 40 of this Act take effect July 1, 2019.
8 * **Sec. 51.** Except as provided in secs. 43 - 50 of this Act, this Act takes effect immediately
9 under AS 01.10.070(c)."