

HOUSE BILL NO. 304

IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-FIFTH LEGISLATURE - SECOND SESSION

BY REPRESENTATIVES NELSON, Lynn, Kerttula, Gatto

Introduced: 1/15/08

Referred: Health, Education and Social Services, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act establishing a cancer drug repository for redistribution to recipients of medical**
2 **assistance within the Department of Health and Social Services; and authorizing the**
3 **Board of Pharmacy to set standards for the cancer drug repository and redistribution**
4 **program."**

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

6 *** Section 1.** AS 08.80.030(b) is amended to read:

7 (b) In order to fulfill its responsibilities, the board has the powers necessary
8 for implementation and enforcement of this chapter, including the power to

9 (1) elect a president and secretary from its membership and adopt rules
10 for the conduct of its business;

11 (2) license by examination or by license transfer the applicants who are
12 qualified to engage in the practice of pharmacy;

13 (3) assist the department in inspections and investigations for
14 violations of this chapter, or of any other state or federal statute relating to the practice

1 of pharmacy;

2 (4) adopt regulations to carry out the purposes of this chapter;

3 (5) establish and enforce compliance with professional standards and
4 rules of conduct for pharmacists engaged in the practice of pharmacy;

5 (6) determine standards for recognition and approval of degree
6 programs of schools and colleges of pharmacy whose graduates shall be eligible for
7 licensure in this state, including the specification and enforcement of requirements for
8 practical training, including internships;

9 (7) establish for pharmacists and pharmacies minimum specifications
10 for the physical facilities, technical equipment, personnel, and procedures for the
11 storage, compounding, and dispensing of drugs or related devices, and for the
12 monitoring of drug therapy;

13 (8) enforce the provisions of this chapter relating to the conduct or
14 competence of pharmacists practicing in the state, and the suspension, revocation, or
15 restriction of licenses to engage in the practice of pharmacy;

16 (9) license and regulate the training, qualifications, and employment of
17 pharmacy interns and pharmacy technicians;

18 (10) issue licenses to persons engaged in the manufacture and
19 distribution of drugs and related devices;

20 **(11) adopt, in consultation with the Department of Health and**
21 **Social Services, regulations for the implementation of the cancer drug repository**
22 **and redistribution program established under AS 47.07.038 for recipients of**
23 **medical assistance.**

24 * **Sec. 2.** AS 47.07 is amended by adding a new section to read:

25 **Sec. 47.07.038. Cancer drug repository and redistribution program.** (a) A
26 cancer drug repository and redistribution program is established in the department for
27 the benefit of recipients of medical assistance who are hospitalized or residing in a
28 nursing home and who are prescribed medication for the treatment of cancer. The
29 program must include registration and monitoring of participating pharmacies located
30 in hospitals and nursing homes.

31 (b) A repository may accept drugs approved and recognized for the treatment

1 of cancer in the official National Formulary or the United States Pharmacopoeia, as
2 supplemented.

3 (c) The department shall, in cooperation with the Board of Pharmacy, adopt
4 regulations for the implementation of a cancer drug repository and redistribution
5 program established under (a) of this section.

6 (d) A cancer drug accepted into the repository for redistribution must be in its
7 original, unopened, sealed, and tamper-evident packaging, or, if packaged in single-
8 unit doses, the single unit dose packaging must be unopened.

9 (e) A participating pharmacy located in a hospital or nursing home shall
10 establish criteria, consistent with applicable laws, for establishing priorities for
11 dispensation to inpatients of donated cancer drugs based on medical and financial
12 need. The participating pharmacy shall also maintain a log of drugs donated to the
13 repository and redistributed under the program. The drugs shall be distributed at no
14 cost to the recipient or the donor, except that a usual and customary dispensing fee
15 may be charged to the recipient.