

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: 3/31/14

Referred: Rules

Sponsor(s): REPRESENTATIVES GATTIS, Keller, Tarr, LeDoux, Stoltze

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.