

**CS FOR HOUSE BILL NO. 281(L&C) am S**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-EIGHTH LEGISLATURE - SECOND SESSION

BY THE HOUSE LABOR AND COMMERCE COMMITTEE

Amended: 4/24/14

Offered: 3/31/14

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

SENATORS Micciche, Giessel, Meyer, Bishop, Egan, Dyson, Kelly

**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 licensed health care provider or physician in the physician's group practice is available  
3 to provide follow-up care; and

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

8                   (b) In this section,

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

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

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