

HOUSE BILL NO. 225

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-FOURTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE ALLARD

Introduced: 5/10/25

Referred: Health and Social Services, Labor and Commerce

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to prescription fluoride supplements; relating to the practice of**
2 **pharmacy; and relating to fluoride in public water systems."**

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

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

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

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

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

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

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

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

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

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

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

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

16 (10) license and regulate the qualifications of entities and individuals
17 engaged in the manufacture or distribution of drugs and related devices;

18 (11) establish and maintain a controlled substance prescription
19 database as provided in AS 17.30.200;

20 (12) establish standards for the independent prescribing and
21 administration of vaccines and related emergency medications under AS 08.80.168,
22 including the completion of an immunization training program approved by the board
23 and an epinephrine auto-injector training program under AS 17.22.020(b);

24 (13) establish standards for the independent prescribing and dispensing
25 by a pharmacist of an opioid overdose drug under AS 17.20.085, including the
26 completion of an opioid overdose training program approved by the board;

27 (14) require that a licensed pharmacist who dispenses a schedule II, III,
28 or IV controlled substance under federal law to a person in the state register with the
29 controlled substance prescription database under AS 17.30.200(n);

30 (15) establish the qualifications and duties of the executive
31 administrator and delegate authority to the executive administrator that is necessary to

1 conduct board business;

2 (16) license and inspect the facilities of pharmacies, manufacturers,
3 wholesale drug distributors, third-party logistics providers, and outsourcing facilities
4 located outside the state under AS 08.80.159;

5 (17) license Internet-based pharmacies providing services to residents
6 in the state;

7 (18) adopt regulations pertaining to retired pharmacist status;

8 **(19) establish standards for review and approval of a standing**
9 **order issued by the chief medical officer under AS 17.20.087.**

10 * **Sec. 2.** AS 08.80 is amended by adding a new section to read:

11 **Sec. 08.80.332. Fluoride supplements.** (a) A pharmacist may dispense a
12 fluoride supplement without a prescription drug order specific to a patient if the
13 pharmacist is authorized to dispense the fluoride supplement under a standing order
14 issued under AS 17.20.087.

15 (b) A pharmacist dispensing a fluoride supplement shall, at a minimum,
16 provide patient counseling about

17 (1) appropriate administration and storage of the fluoride supplement;

18 (2) potential side effects and risks of the fluoride supplement; and

19 (3) when to seek emergency medical attention.

20 (c) In this section, "fluoride supplement" has the meaning given in
21 AS 17.20.087(d).

22 * **Sec. 3.** AS 17.20 is amended by adding a new section to read:

23 **Sec. 17.20.087. Fluoride supplements.** (a) The chief medical officer of the
24 department shall issue a standing order for the prescription of a fluoride supplement
25 that allows a pharmacist to dispense the fluoride supplement without a prescription
26 drug order specific to a patient.

27 (b) The standing order issued under this section must

28 (1) specify each pharmacist authorized to dispense a fluoride
29 supplement under the order and the pharmacist's license number;

30 (2) establish a protocol to review, at least annually, the dispensing
31 practices of each pharmacist authorized to dispense a fluoride supplement under the

1 order;

2 (3) require a pharmacist dispensing a fluoride supplement under the
3 order to keep a record of each patient who receives a fluoride supplement under the
4 order, including

5 (A) the name of the patient;

6 (B) the fluoride supplement received; and

7 (C) any other relevant information;

8 (4) require a pharmacist dispensing a fluoride supplement under the
9 order to provide patient counseling as specified in AS 08.80.332; and

10 (5) be approved by the Board of Pharmacy.

11 (c) The chief medical officer of the department is not liable for civil damages
12 as a result of an act or omission arising out of the dispensing of a fluoride supplement
13 as authorized by a standing order issued under this section.

14 (d) In this section,

15 (1) "dispense" or "dispensing" has the meaning given in AS 08.80.480;

16 (2) "fluoride supplement" means a prescription drug containing
17 fluoride that is intended to enhance oral health;

18 (3) "patient counseling" has the meaning given in AS 08.80.480;

19 (4) "pharmacist" has the meaning given in AS 08.80.480;

20 (5) "prescription drug" has the meaning given in AS 08.80.480;

21 (6) "prescription drug order" has the meaning given in AS 08.80.480.

22 * **Sec. 4.** AS 46.03 is amended by adding a new section to read:

23 **Sec. 46.03.725. Fluoride in public water systems.** A person may not add
24 fluoride to a public water system.

25 * **Sec. 5.** AS 46.03.761(a) is amended to read:

26 (a) The department may assess an administrative penalty against an entity that
27 violates or causes or permits to be violated a provision of AS 46.03.720(b) **or**
28 **46.03.725**, or a term or condition of a regulation, order, permit, approval, or certificate
29 of the department issued or adopted under AS 46.03.720(b) **or 46.03.725**.