

BY REP. MENARD, Donley, Hanley

1 IN THE HOUSE

2

HOUSE BILL NO. 508

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

SIXTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6 For an Act entitled: "An Act relating to pharmacies located outside of the
7 state."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. AS 08.80 is amended by adding a new section to read:

10 Sec. 08.80.158. REGISTRATION OF PHARMACIES LOCATED OUTSIDE OF
11 STATE. (a) A pharmacy located outside of the state that ships,
12 mails, or delivers prescription drugs into the state shall register
13 with the board.

14 (b) A pharmacy registering with the board under (a) of this
15 section shall furnish to the board annually

16 (1) the location, names, and titles of all principal corpo-
17 rate officers and of all pharmacists who are dispensing prescription
18 drugs to residents of the state;

19 (2) a copy of a current valid license, permit, or registra-
20 tion to conduct operations in the jurisdiction in which it is located,
21 and a copy of the most recent report resulting from an inspection of
22 the pharmacy by the regulatory or licensing agency of the jurisdiction
23 in which the pharmacy is located;

24 (3) a sworn statement indicating that the pharmacy complies
25 with all lawful directions and requests for information from the
26 regulatory or licensing authority of the jurisdiction in which the
27 pharmacy is licensed; and

28 (4) proof satisfactory to the board that the pharmacy
29 maintains its records of prescription drugs dispensed to persons in

1 the state so that the records are readily retrievable from the records
2 of other prescription drugs dispensed by the pharmacy.

3 (c) A pharmacy subject to this section shall, during its regular
4 hours of operation, provide a toll-free telephone service to facili-
5 tate communication between persons in the state and a pharmacist at
6 the pharmacy who has access to records concerning the dispensing of
7 prescription drugs to persons in the state. This toll-free number
8 shall be disclosed on a label affixed to each container of drugs
9 dispensed to persons in the state. The telephone service shall be
10 available at least 40 hours a week and at least six days a week.

11 (d) The board may, after a hearing, deny, revoke, or suspend the
12 registration of a pharmacy located outside of the state if the phar-
13 macy fails to comply with the requirements of this section, AS 17.-
14 20.080 - 17.20.135, or AS 17.30.020 - 17.30.080, or if the license,
15 permit, or registration of the pharmacy is denied, revoked, or sus-
16 pended by the licensing or regulatory agency of the jurisdiction in
17 which the pharmacy is located.

18 (e) A pharmacy located outside of the state that is not regis-
19 tered with the board under this section may not ship, mail, or deliver
20 prescription drugs into the state and may not advertise its services
21 in the state.

22 * Sec. 2. AS 08.80.160 is amended by adding a new paragraph to read:

23 (14) registration of a pharmacy located outside of the
24 state.

25 * Sec. 3. AS 08.80.480 is amended by adding new paragraphs to read:

26 (19) "pharmacy located outside of the state" means a phar-
27 macy that prepares or mixes prescription drugs outside of the state,
28 regardless of the location at which those drugs may be shipped,
29 mailed, or delivered to the consumer;

1 (20) "prescription drug" means a drug other than a nonpre-
2 scription drug.