

## Session 114 - (2001-2002)

### S 0471 General Bill, By Giese

**Summary:** Pharmacists, certified pharmacy technician, practitioners; permits and renewal of; generic drugs, labels; Pharmacies

A BILL TO AMEND SECTION 39-24-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SUBSTITUTING GENERIC DRUGS FOR NAME BRAND DRUGS, SO AS TO REQUIRE A PHARMACIST TO PLACE THE NAME BRAND OR MANUFACTURER OF A GENERIC DRUG ON THE FILE COPY OF A PRESCRIPTION OR TO STORE IT ELECTRONICALLY, OR BOTH, AND TO FURTHER CLARIFY THE LABELING PROCEDURES WHEN SUBSTITUTIONS OF GENERIC DRUGS OCCUR; TO AMEND SECTION 40-43-30, AS AMENDED, RELATING TO DEFINITIONS IN THE PHARMACY PRACTICE ACT, SO AS TO DEFINE "CERTIFIED PHARMACY TECHNICIAN"; TO AMEND SECTION 40-43-60, AS AMENDED, RELATING TO, AMONG OTHER THINGS, THE DUTIES OF THE CHIEF DRUG INSPECTOR, PROCEDURES CONCERNING ADULTERATED OR MISBRANDED DRUGS, AND THE AUTHORITY OF VARIOUS PRACTITIONERS TO PRESCRIBE AND DISPENSE DRUGS, SO AS TO PROVIDE THAT THE PHARMACY PRACTICE ACT DOES NOT PREVENT A PRACTITIONER FROM DISPENSING COMPLIMENTARY TRIAL DRUGS OWNED BY A CORPORATE ENTITY; TO AMEND SECTION 40-43-82, AS AMENDED, RELATING TO REGISTRATION REQUIREMENTS FOR PHARMACY TECHNICIANS, SO AS TO FURTHER SPECIFY REGISTRATION RENEWAL PROCEDURES, TO ESTABLISH CRITERIA TO BECOME A CERTIFIED PHARMACY TECHNICIAN, AND TO PROVIDE DUTIES THAT MAY BE ASSIGNED TO A CERTIFIED TECHNICIAN; TO AMEND SECTION 40-43-86, AS AMENDED, RELATING, AMONG OTHER THINGS, TO FACILITY REQUIREMENTS FOR PHARMACIES, DUTIES OF A PHARMACIST-IN-CHARGE, DUTIES OF CONSULTANT PHARMACISTS, CONTENT REQUIREMENTS FOR PRESCRIPTION DRUG ORDERS, AND TRANSFER OF PRESCRIPTIONS, SO AS TO EXEMPT EMERGENCY MEDICAL SERVICES FROM PERMIT FEES AND THE REQUIREMENT OF HAVING A PHARMACIST-IN-CHARGE, TO EXEMPT FACILITIES SUPPLYING DURABLE MEDICAL EQUIPMENT FROM THE REQUIREMENT OF HAVING A PHARMACIST-IN-CHARGE, TO CONFORM PRESCRIPTION LABEL REQUIREMENTS TO OTHER PROVISIONS OF THIS ACT; TO AMEND SECTION 40-43-89, RELATING, AMONG OTHER THING, TO WHOLESALE DISTRIBUTOR PERMITS AND RENEWALS, DRUG STORAGE AND DISTRIBUTION FACILITY REQUIREMENTS, AND RECORDKEEPING REQUIREMENTS FOR WHOLESALE DRUG DISTRIBUTORS, SO AS TO DELETE PROVISIONS REGARDING APPLICATION AND RENEWAL PROCEDURES FOR PHARMACY PERMITS AND TO CORRECT A CROSS REFERENCE; TO AMEND SECTION 40-43-90, AS AMENDED, RELATING TO PHARMACY PERMIT AND RENEWAL REQUIREMENTS, SO AS TO REINSTATE THESE REQUIREMENTS DELETED FROM SECTION 40-43-89, TO AUTHORIZE THE BOARD TO CHARGE AN ADDITIONAL PENALTY FOR LAPSED PERMITS, AND TO PROVIDE THAT A PERMIT BECOMES VOID WHEN THERE IS A CHANGE IN OWNERSHIP, NAME, OR LOCATION OF A PHARMACY; TO AMEND SECTION 40-43-91, RELATING TO THE REQUIREMENT TO REPORT TO THE BOARD WHEN VARIOUS CHANGES AND EVENTS OCCUR, SO AS TO REQUIRE A PERMIT HOLDER TO REPORT AN EMPLOYEE'S ALLEGED VIOLATION, RATHER THAN A CONVICTION, OF A STATE OR FEDERAL DRUG LAW AND TO REPORT AN EMPLOYEE TERMINATION FOR UNPROFESSIONAL CONDUCT; TO AMEND SECTION 40-43-110, AS AMENDED, RELATING TO PERMIT AND LICENSE RENEWAL PROCEDURES AND PENALTIES AND REQUIREMENTS FOR INACTIVE AND LAPSED LICENSES, SO AS TO CLARIFY THESE LICENSE PROVISIONS, TO PROVIDE THAT CURRENTLY LICENSED ASSISTANT PHARMACISTS HAVE ALL THE RIGHTS AND PRIVILEGES OF A LICENSED PHARMACIST, AND TO PROVIDE THAT NO TEMPORARY LICENSE MAY BE ISSUED; AND TO AMEND SECTION 40-43-130, RELATING TO CONTINUING EDUCATION REQUIREMENTS, SO AS TO ESTABLISH CONTINUING EDUCATION REQUIREMENTS FOR PHARMACY TECHNICIANS.

**03/20/01 Senate Introduced and read first time SJ-11**

**03/20/01 Senate Referred to Committee on Medical Affairs SJ-11**