

**Session 114 - (2001-2002)**

**H\*4909 (Rat #0413, Act #0314 of 2002) General Bill, By Bingham**

**Summary:** Pharmacists, pharmacy technicians, and pharmacy distributors, provisions regarding; reporting of drug theft and employee drug convictions to Board of Pharmacy

A BILL TO AMEND SECTION 39-24-40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REQUIREMENTS FOR DRUG PRESCRIPTIONS AUTHORIZING SUBSTITUTION OF A GENERIC DRUG, SO AS TO AUTHORIZE A PHARMACIST TO MAINTAIN GENERIC SUBSTITUTION RECORDS ELECTRONICALLY AND TO CONFORM THESE PROVISIONS TO OTHER GENERIC SUBSTITUTION PROVISIONS; TO AMEND SECTION 40-43-30, RELATING TO DEFINITIONS OF TERMS USED 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, AUTHORIZATION OF A HEALTH CARE PRACTITIONER DISPENSING DRUGS THAT THE PRACTITIONER OWNS, SO AS TO ALSO AUTHORIZE A PRACTITIONER TO DISPENSE A COMPLIMENTARY TRIAL SUPPLY OF DRUGS OWNED BY THE PRACTITIONER OR AN INSTITUTION AUTHORIZED TO POSSESS MEDICATIONS; TO AMEND SECTION 40-43-82, AS AMENDED, RELATING TO REGISTRATION QUALIFICATIONS FOR PHARMACY TECHNICIANS, SO AS TO REVISE THESE QUALIFICATIONS AND TO FURTHER SPECIFY APPLICATION AND RENEWAL PROCEDURES; TO AMEND SECTION 40-43-86, AS AMENDED, RELATING TO VARIOUS PHARMACY FACILITY AND PRACTICE REQUIREMENTS, SO AS TO PROVIDE THAT IN PROVIDING ADEQUATE STAFFING, A PHARMACIST-IN-CHARGE IS NOT REQUIRED TO EMPLOY CERTIFIED PHARMACY TECHNICIANS, TO PROVIDE THAT EMERGENCY MEDICAL SERVICES AND DURABLE MEDICAL EQUIPMENT FACILITIES ARE NOT REQUIRED TO HAVE A CONSULTANT PHARMACIST AND TO AUTHORIZE OTHER HEALTH PROFESSIONALS WITH THESE SERVICES OR FACILITIES TO PERFORM THE DUTIES THAT WOULD HAVE BEEN PERFORMED BY A CONSULTANT PHARMACIST, AND TO AUTHORIZE A PHARMACIST TO MAINTAIN GENERIC SUBSTITUTION RECORDS ELECTRONICALLY AND TO CONFORM THOSE PROVISIONS TO OTHER GENERIC SUBSTITUTION PROVISIONS; TO AMEND SECTION 40-43-89, RELATING TO VARIOUS REQUIREMENTS RELATING TO WHOLESALE PHARMACY DISTRIBUTORS, SO AS TO CLARIFY PROVISIONS AND TO DELETE DUPLICATE STATUTORY PROVISIONS RELATING TO PERMIT APPLICATION PROCEDURES; TO AMEND SECTION 40-43-90, RELATING TO PERMIT APPLICATION PROCEDURES, SO AS TO FURTHER PROVIDE FOR PERMIT RENEWAL PROCEDURES AND FOR CHANGE OF NAME OR OWNER CIRCUMSTANCE WHICH REQUIRE A NEW PERMIT TO BE OBTAINED; TO AMEND SECTION 40-43-91, RELATING TO INFORMATION THAT MUST BE REPORTED TO THE BOARD OF PHARMACY ON DRUG THEFT AND EMPLOYEE DRUG CONVICTIONS, SO AS TO INCREASE THE TIME FOR REPORTING THESE EVENTS FROM THREE TO THIRTY DAYS; TO AMEND SECTION 40-43-110, RELATING TO PHARMACY PERMIT AND LICENSE APPLICATION AND RENEWAL PROCEDURES, SO AS TO FURTHER SPECIFY AND CLARIFY THESE PROCEDURES; AND TO AMEND SECTION 40-43-130, AS AMENDED, RELATING TO CONTINUING EDUCATION REQUIREMENTS FOR PHARMACISTS, SO AS TO ALSO PROVIDE CONTINUING EDUCATION REQUIREMENTS FOR REGISTERED PHARMACY TECHNICIANS.-amended title

- 03/14/02 House Introduced and read first time HJ-3**
- 03/14/02 House Referred to Committee on Medical, Military, Public and Municipal Affairs HJ-4**
- 04/02/02 House Committee report: Favorable with amendment Medical, Military, Public and Municipal Affairs HJ-12**
- 04/03/02 House Amended HJ-85**
- 04/03/02 House Read second time HJ-86**
- 04/04/02 House Read third time and sent to Senate HJ-12**
- 04/09/02 Senate Introduced and read first time SJ-18**
- 04/09/02 Senate Referred to Committee on Medical Affairs SJ-18**
- 05/09/02 Senate Committee report: Favorable with amendment Medical Affairs SJ-9**
- 05/16/02 Senate Amended SJ-43**
- 05/16/02 Senate Read second time SJ-43**
- 05/16/02 Senate Ordered to third reading with notice of amendments SJ-43**
- 05/22/02 Senate Amended SJ-32**
- 05/22/02 Senate Read third time and returned to House with amendments SJ-32**
- 05/28/02 House Concurred in Senate amendment and enrolled HJ-136**
- 05/30/02 Ratified R 413**
- 06/04/02 Signed By Governor**
- 06/18/02 Act No. 314**

**07/18/02**                      **Effective date 7/1/02**  
**07/18/02**                      **Copies available**