COMMITTEE REPORT

April 25, 2018

**H. 5061**

Introduced by Reps. Daning and Gilliard

S. Printed 4/25/18--H.

Read the first time March 6, 2018.

**THE COMMITTEE ON MEDICAL,**

**MILITARY, PUBLIC AND MUNICIPAL AFFAIRS**

To whom was referred a Bill (H. 5061) to amend the Code of Laws of South Carolina, 1976, to enact the “Pharmacist Safety Act” by adding Section 40‑43‑120 so as to provide certain, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass with amendment:

Amend the bill, as and if amended, by deleting all after the enacting words and inserting:

/ SECTION 1. This act must be known and may be cited as the “Pharmacist Safety Act”.

SECTION 2. Chapter 43, Title 40 of the 1976 Code is amended by adding:

“Section 40‑43‑120. (A) A pharmacy, other than an institutional pharmacy where critical patient care is provided, shall provide a thirty‑minute rest break to pharmacists and pharmacy technicians who are working a twelve‑hour shift in the pharmacy, which the pharmacist or pharmacy technician shall take during the shift at a time determined by the pharmacist or pharmacy technician, respectively. During a rest break, the pharmacist or pharmacy technician may not engage in the preparing, compounding, or dispensing of medicine. A rest break may not be taken at the beginning or end of a twelve‑hour shift.

(B) The provisions of this section apply notwithstanding another provision of law.”

SECTION 3. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

LEON HOWARD for Committee.

**STATEMENT OF ESTIMATED FISCAL IMPACT**

**Explanation of Fiscal Impact**

**Introduced on March 6, 2018**

**State Expenditure**

This bill requires a pharmacy to provide a thirty-minute break for pharmacists and pharmacy technicians who work a twelve hour shift. This bill does not alter the activities of the Board of Pharmacy, LLR’s regulatory body for pharmacists and pharmacies. Therefore, this bill will have no impact on the general fund, federal funds, or other funds.

Frank A. Rainwater, Executive Director

Revenue and Fiscal Affairs Office

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE “PHARMACIST SAFETY ACT” BY ADDING SECTION 40‑43‑120 SO AS TO PROVIDE CERTAIN MANDATORY THIRTY‑MINUTE REST BREAKS FOR PHARMACISTS AND PHARMACY TECHNICIANS WORKING TWELVE‑HOUR SHIFTS.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. This act must be known and may be cited as the “Pharmacist Safety Act”.

SECTION 2. Chapter 43, Title 40 of the 1976 Code is amended by adding:

“Section 40‑43‑120. (A) A pharmacy shall provide a thirty‑minute rest break to pharmacists and pharmacy technicians who are working a twelve‑hour shift in the pharmacy, which the pharmacist or pharmacy technician shall take during the shift at a time determined by the pharmacist or pharmacy technician, respectively. During a rest break, the pharmacist or pharmacy technician may not engage in the preparing, compounding, or dispensing of medicine. A rest break may not be taken at the beginning or end of a twelve‑hour shift.

(B) The provisions of this section apply notwithstanding another provision of law.”

SECTION 3. This act takes effect upon approval by the Governor.

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