

2016 -- S 2498

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LC004821
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2016

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A N A C T

RELATING TO BUSINESSES AND PROFESSIONS - COLLABORATIVE PHARMACY
PRACTICE

Introduced By: Senators Doyle, Nesselbush, P Fogarty, and DiPalma

Date Introduced: February 25, 2016

Referred To: Senate Health & Human Services

It is enacted by the General Assembly as follows:

1 SECTION 1. Sections 5-19.2-2 and 5-19.2-3 of the General Laws in Chapter 5-19.2
2 entitled "Collaborative Pharmacy Practice" are hereby amended to read as follows:

3 **5-19.2-2. Definitions.** -- (a) "Collaborative practice agreement" is a written and signed
4 agreement, entered into voluntarily, between ~~a pharmacist, with advanced training and experience~~
5 ~~relevant to the scope of collaborative practice,~~ one or more licensed pharmacist(s) and one or
6 more physicians that defines the collaborative pharmacy practice in which the ~~pharmacist~~
7 pharmacist(s) and physician(s) propose to engage. Collaborative practice agreements shall be
8 made in the best interest of public health.

9 (b) "Collaborative practice committee" shall consist of six (6) individuals: three (3)
10 individuals to be appointed by the board of pharmacy from nominees provided by the Rhode
11 Island Pharmacists Association and three (3) individuals to be appointed by the board of medical
12 licensure and discipline from nominees provided by the Rhode Island Medical Society. The
13 collaborative practice committee shall advise the director on all issues pertinent to the regulation
14 of collaborative practice agreements.

15 (c) "Collaborative pharmacy practice" is that practice of pharmacy whereby ~~a~~
16 ~~pharmacist, with advanced training and experience relevant to the scope of collaborative practice~~
17 one or more licensed pharmacist(s) agrees to work in collaboration with one or more physicians
18 for the purpose of drug therapy management of patients, such management to be pursuant to a

1 protocol or protocols authorized by the physician(s) and subject to conditions and/or limitations
2 as set forth by the department. A health care professional who has prescribing privileges and is
3 employed by a collaborating physician may be in such an agreement.

4 (d) "Drug therapy management" means the review, in accordance with a collaborative
5 practice agreement, of drug therapy regimen or regimens of patients by ~~a pharmacist~~ one or more
6 licensed pharmacist(s) for the purpose of ~~rendering advice to one or more physicians who are~~
7 ~~party to the agreement, or their physician designees, regarding adjustment of~~ initiating, adjusting,
8 monitoring, or discontinuing the regimen. Decisions involving drug therapy management shall be
9 made in the best interests of the patient. In accordance with a collaborative practice agreement,
10 drug therapy management may include:

11 (1) ~~Modifying and managing~~ Initiating, adjusting, monitoring, or discontinuing drug
12 therapy;

13 (2) Collecting and reviewing patient histories;

14 (3) Obtaining and checking vital signs, including pulse, height, weight, temperature,
15 blood pressure, and respiration; and

16 (4) Under the supervision of, or in direct consultation with ~~a physician~~ one or more
17 physician(s), ordering and evaluating the results of laboratory tests directly related to drug
18 therapy when performed in accordance with approved protocols applicable to the practice setting
19 and providing such evaluation does not include any diagnostic component.

20 (e) "Limited-function test" means those tests listed in the federal register under the
21 Clinical Laboratory Improvement Amendments of 1988 (CLIA) as waived tests. For the purposes
22 of this chapter, limited-function test shall include only the following: blood glucose, hemoglobin
23 Alc, cholesterol tests, and/or other tests that are classified as waived under CLIA and are
24 approved by the United States Food and Drug Administration for sale to the public without a
25 prescription in the form of an over-the-counter test kit.

26 (f) ~~"Pharmacist with advanced training and experience relevant to the scope of~~
27 ~~collaborative practice" means a licensed pharmacist in this state with post graduate educational~~
28 ~~training. Such training shall include, but not be limited to, residency training; board certification;~~
29 ~~certification from an accredited professional organization educational institution; or any other~~
30 ~~continuing education provider approved by the director of health relevant to the proposed scope~~
31 ~~of the collaborative practice agreement.~~

32 (g) "Practice of pharmacy" means the interpretation, evaluation, and implementation of
33 medical orders, including the performance of clinical laboratory tests, provided such testing is
34 limited to limited function tests as defined herein; the dispensing of prescription drug orders;

1 participation in drug and device selection; drug regimen reviews and drug or drug-related
2 research; provision of patient counseling and the provision of those acts or services necessary to
3 provide pharmaceutical care; drug therapy management pursuant to a collaborative practice
4 agreement; and the responsibility for the supervision for compounding and labeling of drugs and
5 devices (except labeling by a manufacturer, repackager, or distributor of nonprescription drugs
6 and commercially packaged legend drugs and devices); proper and safe storage of drugs and
7 devices; and maintenance of proper records for them.

8 **5-19.2-3. Collaborative pharmacy practice.** -- (a) A pharmacist may engage in
9 collaborative pharmacy practice pursuant to a collaborative practice agreement in accordance
10 with provisions of this chapter or other applicable sections of the regulations. Any pharmacist or
11 physician desiring to engage in collaborate pharmacy practice shall execute a collaborative
12 practice agreement in accordance with regulations promulgated by the department. Each
13 collaborative practice agreement shall set forth at least the following: (1) site and setting where
14 the collaborative practice is to take place; (2) informed consent procedures; (3) qualifications of
15 participating ~~pharmacist~~ pharmacists and physicians; (4) the role of any employed health care
16 professional with prescriptive privileges participating in the collaborative practice; (5) scope of
17 conditions or diseases to be managed; (6) practice protocols; (7) risk management activities; and
18 (8) outcomes measurements. Each collaborative practice agreement shall be subject to review and
19 renewal on ~~an annual~~ a biennial basis.

20 (b) Any pharmacist or physician who deviates from or practices in a manner inconsistent
21 with the terms of a collaborative practice agreement shall be in violation of this chapter; such
22 shall constitute grounds for disciplinary action pursuant to this chapter. There shall be no civil
23 liability on the part of, or cause of action of any nature against, a physician or physician's agents
24 or employees for participation in collaborative pharmacy practice as the result of negligence or
25 fault on the part of the pharmacist participating in such collaborative practice agreement.

26 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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RELATING TO BUSINESSES AND PROFESSIONS - COLLABORATIVE PHARMACY
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1 This act would expand the number of pharmacists eligible to engage in collaborative
2 pharmacy practice with physicians by including all licensed pharmacists and provides for biennial
3 review of collaborative practice agreements.

4 This act would take effect upon passage.

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