

HOUSE BILL NO. HB0258

Branch and automated pharmacies.

Sponsored by: Representative(s) Anderson, R. and
Senator(s) Johnson

A BILL

for

1 AN ACT relating to the Wyoming Pharmacy Act; authorizing
2 branch pharmacies and automated pharmacy systems as
3 specified; providing definitions; and providing for an
4 effective date.

5

6 *Be It Enacted by the Legislature of the State of Wyoming:*

7

8 **Section 1.** W.S. 33-24-156 is created to read:

9

10 **33-24-156. Remote pharmacy practice authorized.**

11

12 (a) The board pursuant to its rules and regulations
13 may authorize a licensed pharmacy to practice telepharmacy
14 through either a branch pharmacy or an automated pharmacy
15 system located at a site at least twenty-five (25) miles
16 from a licensed pharmacy.

1

2 (b) Branch pharmacies and automated pharmacy systems
3 shall include the following minimum features:

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5 (i) Storage and dispensing of prescription drugs
6 in unit of issue packages;

7

8 (ii) Connection by a secure communication system
9 to the parent pharmacy, with the capability of live video
10 and audio communication with a registered pharmacist at the
11 parent pharmacy during hours of operation;

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13 (iii) Adequate provision for security, including
14 verification of customer identity and prescription
15 information;

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17 (iv) Automated inventory control using bar
18 codes, radio frequency tags or a similar identification
19 system;

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21 (v) Prominent display of the name, address and
22 toll free telephone number of the parent pharmacy.

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1 (c) A branch pharmacy or automated pharmacy system
2 operated as provided in this act and in accord with rules
3 and regulations of the board is deemed to be operated under
4 the charge of a registered pharmacist for purposes of W.S.
5 33-24-113(b). A pharmacist may not serve as a pharmacist
6 in charge for more than one branch pharmacy or automated
7 pharmacy system at any one time.

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9 **Section 2.** W.S. 33-24-101 is amended as follows:

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11 **33-24-101. Short title; definitions.**

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13 (a) This act means W.S. 33-24-101 through 33-24-301
14 and shall be known as the "Wyoming Pharmacy Act".

15
16 (b) ~~"This act" means W.S. 33-24-101 through~~
17 ~~33-24-301.~~

18
19 ~~(c)~~ As used in this act: r

20
21 (i) "Automated pharmacy system" means a
22 mechanical system for storage and delivery of prepackaged
23 pharmaceutical drugs that is remote from but under the

1 active control and supervision of a licensed parent
2 pharmacy;

3
4 (ii) "Branch pharmacy" means a site located
5 within a medical clinic or community health center that is
6 remote from but under the active control and supervision of
7 a licensed parent pharmacy, and that is staffed during
8 hours of operation by a certified pharmacy technician or
9 registered pharmacy intern;

10
11 (iii) "Collaborative pharmaceutical care" means
12 a pharmacist working in collaboration with physicians and
13 other medical providers authorized to prescribe
14 medications;

15
16 (iv) "Telepharmacy" means the dispensing of
17 medications and information and the provision of
18 pharmaceutical care to patients from a distance by means of
19 a branch pharmacy or automated pharmacy system;

20
21 (v) "Unprofessional conduct" means:

22
23 ~~(i)~~ (A) Dispensing a drug or brand of drug
24 in filling a prescription which differs from that specified

1 by the prescription without authority of the issuer of the
2 prescription;

3

4 ~~(iii)~~ (B) Obtaining any fee by fraud or
5 misrepresentation;

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7 ~~(iii)~~ (C) Willfully betraying patient
8 confidences, provided a pharmacist may provide otherwise
9 confidential patient information to other licensed health
10 care professionals treating the patient;

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12 ~~(iv)~~ (D) Employing directly or indirectly
13 any student or any suspended or unlicensed pharmacist to
14 practice pharmacy unless authorized by law;

15

16 ~~(v)~~ (E) Advertising in a misleading, false
17 or deceptive manner;

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19 ~~(vi)~~ (F) Filling a prescription which is
20 more than two (2) years old;

21

22 ~~(vii)~~ (G) Filling a prescription without
23 reasonable inquiry and confirmation of its validity if
24 there are reasonable grounds to doubt the current existence

1 of a doctor-patient relationship between the prescriber and
2 the customer seeking to obtain the drug;

3

4 ~~(viii)~~ (H) Filling a prescription with a
5 drug that is past the expiration date provided by the
6 manufacturer or supplier of the drug or other competent
7 authority;

8

9 ~~(ix)~~ (J) Filling a prescription with drugs
10 which have not been refrigerated as recommended by the
11 manufacturer or supplier of the drugs or by other competent
12 authority; or

13

14 ~~(x)~~ (K) Other actions defined by rule and
15 regulations as relevant to the pharmacist's professional
16 character.

17

18 ~~(d) "Collaborative pharmaceutical care" means a~~
19 ~~pharmacist working in collaboration with physicians and~~
20 ~~other medical providers authorized to prescribe~~
21 ~~medications.~~

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