

Adopted	Rejected
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COMMITTEE REPORT

YES:	8
NO:	5

MR. SPEAKER:

*Your Committee on Public Health, to which was referred House Bill 1100, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Page 2, line 25, delete "Hydrochloride" and insert "**More than**
- 2 **twenty (20) milligrams of hydrochloride**".
- 3 Page 3, line 23, delete "To" and insert "**The Indiana board of**
- 4 **pharmacy shall adopt rules under IC 4-22-2 that include standards**
- 5 **to**".
- 6 Page 3, line 23, delete ", the" and insert ". **The**".
- 7 Page 3, line 24, after "factors" insert "**when adopting rules under**
- 8 **this section**".
- 9 Page 3, between lines 33 and 34, begin a new paragraph and
- 10 insert:
- 11 "SECTION 2. IC 25-26-13-29 IS AMENDED TO READ AS
- 12 FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 29. (a) It is unlawful:
- 13 (1) For any person to display or permit to be displayed, a
- 14 pharmacy permit in any facility or place of business other than

- 1 that for which it was issued.
- 2 (2) For any person to accept a prescription for filling or
- 3 compounding at any place or facility for which there is not a
- 4 valid pharmacy permit.
- 5 (3) For any person to operate a pharmacy or to take, assume,
- 6 exhibit, display, or advertise by any medium, the title "drugs",
- 7 "prescriptions", "medicine", "drug store", "pharmacy", or
- 8 "apothecary shop", or any combination of such titles or any other
- 9 title, symbol, term, or description of like import intended to
- 10 cause the public to believe that it is a pharmacy unless he holds
- 11 a valid pharmacy permit.
- 12 (4) For any person to engage or offer to engage in the practice of
- 13 pharmacy or to hold himself out as a pharmacist without a valid
- 14 pharmacist's license that is classified as active by the board.
- 15 (b) A person who violates a provision of subsection (a) of this
- 16 section commits a Class D felony.
- 17 (c) **Except as provided in IC 16-42-25-4**, nothing in this chapter
- 18 shall apply to, nor in any manner interfere with the business of a
- 19 general merchant in selling and distributing nonnarcotic,
- 20 nonprescription medicines or drugs which are prepackaged, fully
- 21 prepared by the manufacturer for use by the consumer, and labeled in
- 22 accordance with the requirements of the state and federal food and drug
- 23 acts."
- 24 Page 4, line 39, delete "Class D felony" and insert "**Class C**
- 25 **felony**".
- 26 Renumber all SECTIONS consecutively.
- (Reference is to HB 1100 as introduced.)

and when so amended that said bill do pass.

Representative C. Brown