

**LEGISLATIVE SERVICES AGENCY  
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

301 State House  
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**FISCAL IMPACT STATEMENT**

**LS 7980**

**BILL NUMBER: HB 1735**

**DATE PREPARED:** Apr 6, 1999

**BILL AMENDED:** Apr 5, 1999

**SUBJECT:** Pharmacy law.

**FISCAL ANALYST:** Bernadette Bartlett

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**FUNDS AFFECTED:**  **GENERAL**  
 **DEDICATED**  
 **FEDERAL**

**IMPACT:** State & Local

**Summary of Legislation:** (Amended) This bill eliminates the following requirements that (1) prescriptions transmitted to a pharmacist from a practitioner by means other than a written order must be immediately reduced to writing by the pharmacist; and (2) a pharmacist must be actively practicing in order to serve on the Indiana Board of Pharmacy.

The bill requires that in order to serve on the board the pharmacist must only hold a current license to practice in Indiana. A person employed as a full-time staff member or as a professor at a school of pharmacy is prohibited from serving on the board. The Governor must appoint to the board pharmacists from varied practice settings.

A person who has obtained a general educational development (GED) diploma may apply for registration as a pharmacist intern or pharmacist extern. This bill amends structural requirements concerning security and counter size for pharmacies and requires that the dispensing of drugs and devices complies with the Indiana Legend Drug Act and Indiana Generic Drug Laws. All record-keeping requirements for pharmacists must be consistent with federal law, including requirements concerning the length of time records must be kept. A pharmacist is immune from criminal prosecution or civil liability if the pharmacist, in good faith, refuses to honor a prescription because the drug or device that is prescribed violates the pharmacist's religious beliefs or moral convictions.

**Effective Date:** July 1, 1999.

**Explanation of State Expenditures:** The above proposal would have an impact only if pharmacies located in state facilities had to modify security measures to protect products contained in the pharmacy and to deter and detect entry or modify record-keeping practices in order to be consistent with federal law. The impact of these provisions will depend on the security measures and record-keeping practices needed, if any, and the costs of those measures.

**Explanation of State Revenues:** A person who has obtained a GED may apply for registration as a pharmacist intern or pharmacist extern. This provision may increase revenue generated from permits issued by the Health Professions Bureau for interns in that it expands the criteria that must be met in order to apply. The overall impact is not expected to be significant. Permit fees are deposited in the State General Fund.

**Explanation of Local Expenditures:** The above proposal would have an impact only if local facilities have to modify security measures or record-keeping practices. The impact will depend on the changes needed, if any, and the costs of those modifications.

**Explanation of Local Revenues:**

**State Agencies Affected:** Health Professions Bureau and pharmacies operated in state facilities.

**Local Agencies Affected:** Pharmacies operated in local facilities.

**Information Sources:**