

PREVAILED	Roll Call No. _____
FAILED	Ayes _____
WITHDRAWN	Noes _____
RULED OUT OF ORDER	

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 407 be amended to read as follows:

1 Page 1, between the enacting clause and line 1, begin a new
2 paragraph and insert:
3 "SECTION 1. IC 25-26-13-17, AS AMENDED BY P.L.98-2006,
4 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 JULY 1, 2012]: Sec. 17. (a) The board shall establish classes of
6 pharmacy permits as follows:
7 Type I. A retail permit for a pharmacy that provides
8 pharmaceutical care to the general public by the dispensing of a
9 drug or device.
10 Type II. An institutional permit for hospitals, clinics, health care
11 facilities, sanitariums, nursing homes, or dispensaries that offer
12 pharmaceutical care by dispensing a drug product to an inpatient
13 under a drug order or to an outpatient of the institution under a
14 prescription.
15 Type III. A permit for a pharmacy that is not:
16 (A) open to the general public; or
17 (B) located in an institution listed under a Type II permit;
18 and provides pharmaceutical care to a patient who is located in an
19 institution or in the patient's home.
20 Type IV. A permit for a pharmacy not open to the general public
21 that provides pharmaceutical care by dispensing drugs and
22 devices to patients exclusively through the United States Postal
23 Services or other parcel delivery service.

- 1 Type V. A permit for a pharmacy that engages exclusively in the
 2 preparation and dispensing of diagnostic or therapeutic
 3 radioactive drugs.
- 4 Type VI. A permit for a pharmacy open to the general public that
 5 provides pharmaceutical care by engaging in an activity under a
 6 Type I or Type III permit. A pharmacy that obtains a Type VI
 7 permit may provide services to:
- 8 (A) a home health care patient;
 9 (B) a long term care facility; or
 10 (C) a member of the general public.
- 11 (b) ~~Hospitals~~ **A hospital** holding a Type II permit may offer drugs
 12 or devices:
- 13 (1) to:
- 14 (A) an employee, student, **or volunteer of the hospital;**
 15 (B) **a retiree who is participating in a retirement, pension,**
 16 **or benefit program administered by the hospital;**
 17 (C) **an independent contractor who has an exclusive**
 18 **relationship with the hospital;**
 19 (D) **a member of the hospital's governing board;** or
 20 (E) **a member of the hospital's medical staff; member or their**
 21 **and**
- 22 (2) **to dependents of the individuals listed in subdivision (1);**
 23 for their own use.
- 24 (c) Nothing in this section prohibits a pharmacy holding a permit
 25 other than a Type IV permit from delivering drugs or devices through
 26 mail, parcel delivery, or hand delivery.
- 27 (d) Hospitals holding a Type II permit may operate remote locations
 28 within a reasonable distance of the licensed area, as determined by the
 29 board, after:
- 30 (1) filing an application on a form prepared by the board;
 31 (2) having each location inspected by the board; and
 32 (3) obtaining approval from the board.
- 33 (e) Any applicable rule governing the practice of pharmacy in
 34 Indiana shall apply to all permits under this section."
 35 Renumber all SECTIONS consecutively.
 (Reference is to ESB 407 as printed February 24, 2012.)

Representative Welch