

PROPOSED AMENDMENT

HB 1568 # 11

DIGEST

Collaborative agreement. Sets forth requirements of the standing order for a pharmacist prescribing a hormonal contraceptive patch or self-administered hormonal contraceptive. Requires a pharmacist who prescribes a hormonal contraceptive patch or self-administered hormonal contraceptive to operate under a collaborative agreement with a physician. Provides an exemption. Sets forth requirements of the collaborative agreement. Requires the board of pharmacy to consult with the medical licensing board of Indiana in adopting rules. Prohibits the rules from conflicting with a standing order.

- 1 Page 2, line 1, delete "comply" and insert "**do the following:**
- 2 **(1) Require the pharmacist to take and document the**
- 3 **individual's blood pressure and heart rate at each visit.**
- 4 **(2) Set forth an appropriate screening tool for a pharmacist**
- 5 **to use to prescribe a hormonal contraceptive patch or**
- 6 **self-administered hormonal contraceptive.**
- 7 **(3) Require the pharmacist to operate under a collaborative**
- 8 **agreement with a physician if prescribing a hormonal**
- 9 **contraceptive patch or self-administered hormonal**
- 10 **contraceptive to a patient who has not been issued a**
- 11 **prescription for the contraceptive in the previous two (2)**
- 12 **years by a physician license under IC 25-22.5.**
- 13 **(4) Comply".**
- 14 Page 2, line 29, after "4." insert "**(a)**".
- 15 Page 2, line 31, delete "to" and insert "**if the following conditions**
- 16 **are met:**
- 17 **(1) At least one (1) of the following is met:**
- 18 **(A) The pharmacist has entered into and is operating in**
- 19 **accordance with a collaborative agreement with a**
- 20 **physician that meets the requirements set forth in**
- 21 **subsection (b).**
- 22 **(B) The pharmacist is prescribing and dispensing a similar**
- 23 **hormonal contraceptive patch or a self-administered**
- 24 **hormonal contraceptive to a patient who has been issued**

1 a prescription for the hormonal contraceptive patch or
 2 self-administered hormonal contraceptive in the previous
 3 two (2) years by a physician licensed under IC 25-22.5.

4 (2) The pharmacist is prescribing and dispensing the
 5 hormonal contraceptive patch or self-administered hormonal
 6 contraceptive for".

7 Page 2, between lines 35 and 36, begin a new paragraph and insert:

8 "(b) The state health commissioner or the commissioner's
 9 designated public authority shall, in consultation with physician
 10 medical experts, establish requirements that a collaborative
 11 agreement under subsection (a) must meet, including at least the
 12 following:

13 (1) Be entered into between a pharmacist and a physician
 14 licensed under IC 25-22.5 who prescribes hormonal
 15 contraceptive patches or self-administered hormonal
 16 contraceptive.

17 (2) Be in writing and submitted to the medical licensing board
 18 of Indiana.

19 (3) Include a provision that requires the physician to review:

20 (A) the first fifty (50) prescription charts of the pharmacist
 21 who the physician has entered into a collaborative
 22 agreement with; and

23 (B) at least twenty-five percent (25%) of the pharmacist's
 24 prescription charts following the fifty (50) prescriptions
 25 charts described in clause (A).

26 (4) Include a plan for patients that fall outside of the standing
 27 order or rules adopted by the board.

28 (5) Includes a referral plan and a provision that allows a
 29 patient to elect to be seen, examined, and treated by the
 30 collaborating physician.

31 (6) Requires the pharmacist to contact the collaborating
 32 physician or the collaborating physician's designee if the
 33 pharmacist determines that a patient needs to be examined by
 34 a physician.

35 (7) Includes a plan for a patient who has an emergency
 36 medical incident.

37 (c) The collaborating physician shall submit the collaborative
 38 agreement with a pharmacist and any amendment to the
 39 collaborative agreement to the medical licensing board of Indiana.
 40 The medical licensing board of Indiana shall notify the

1 **collaborating physician and the pharmacist if the medical licensing**
2 **board of Indiana denies the collaborative agreement. If the**
3 **collaborative agreement is denied by the medical licensing board**
4 **of Indiana, the pharmacist shall immediately stop prescribing a**
5 **hormonal contraceptive patch or self-administered hormonal**
6 **contraceptive under this chapter.**

7 **(d) A collaborating physician or pharmacist who enters into a**
8 **collaborative agreement may be disciplined by the regulating**
9 **board under IC 25-1-9 for wilfully violating the collaborative**
10 **agreement."**

11 Page 3, line 42, delete "board" and insert "**board, in consultation**
12 **with the medical licensing board of Indiana,**".

13 Page 4, line 1, after "commissioner's" insert "**or designated public**
14 **health authority's**".

15 Page 4, line 2, after "chapter." insert "**The board may not adopt**
16 **any rules under this section that conflict with the standing order**
17 **issued by the state health commissioner or designated public health**
18 **authority.**

19 Page 4, line 27, delete "level" and insert "**Level**".

(Reference is to HB 1568 as reprinted February 17, 2023.)