

**Sixty-first Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 6, 2009**

HOUSE BILL NO. 1091
(Human Services Committee)
(At the request of the State Board of Pharmacy)

AN ACT to amend and reenact sections 43-15-25.1 and 43-15-31.3 of the North Dakota Century Code, relating to continuing education for pharmacists.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 43-15-25.1 of the North Dakota Century Code is amended and reenacted as follows:

43-15-25.1. Continuing pharmaceutical education.

1. ~~The legislative assembly makes the following findings and declarations: Each pharmacist shall complete at least fifteen hours of approved continuing pharmaceutical education every year as a condition of renewal of a certificate of licensure as a pharmacist in this state.~~
 - a. ~~Because of the continuous introduction of new therapeutic and diagnostic agents and the changing concepts in the delivery of health care services in the practice of pharmacy, it is essential that a pharmacist undertake a continuing education program in order to maintain professional competency and improve professional skills.~~
 - b. ~~To assure the continued competency of the pharmacist and to maintain uniform qualifications for licensure in the profession for the protection of the health and welfare of its citizens, the legislative assembly of North Dakota deems it in the public interest to adopt a continuous professional education program.~~
2. ~~Commencing March 1, 1987, no~~ An annual renewal of a license may not be issued to a pharmacist until ~~such~~ the pharmacist has satisfactorily completed an accredited program of continuing professional education, all of which may be home self-study, during the previous ~~two years~~ year to help assure the pharmacist's continued competence to engage in the practice of pharmacy. The board from time to time shall determine the amount of continuing education to be required, not to exceed ~~thirty~~ fifteen hours in each ~~biennium~~ annual period. Upon request of the board, proof of compliance shall be furnished to the board.
3. The board shall adopt rules necessary to carry out the stated objectives and purposes and to enforce the provisions of this section, which shall include the methods of determining accredited programs, methods of determining compliancy, any fees, and such other rules consistent with this section as the board shall determine. This section and all rules adopted hereunder shall be uniformly applied by the board.

SECTION 2. AMENDMENT. Section 43-15-31.3 of the North Dakota Century Code is amended and reenacted as follows:

43-15-31.3. Oral transmission of prescriptions. An oral transmission of a prescription drug may be accepted and dispensed by a pharmacist or licensed pharmacist intern if received from a practitioner, or a nurse licensed under chapter 43-12.1 who is authorized by the practitioner to orally transmit the prescription, or a registered dental hygienist or a registered dental assistant who is authorized by the supervising dentist to orally transmit the prescription. The practitioner shall document the order for oral transmission in the patient's records. Only a licensed pharmacist or a licensed

pharmacist intern or a registered pharmacy technician may receive an orally transmitted new or refill prescription.

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-first Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1091.

House Vote: Yeas 93 Nays 0 Absent 1

Senate Vote: Yeas 46 Nays 0 Absent 1

Chief Clerk of the House

Received by the Governor at _____ M. on _____, 2009.

Approved at _____ M. on _____, 2009.

Governor

Filed in this office this _____ day of _____, 2009,

at _____ o'clock _____ M.

Secretary of State