

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL NO. 1187

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 7 down through “agreements;” in line 8 and substitute “requiring the State Board of Pharmacy to establish one or more peer review committees; providing for the membership and duties of a peer review committee; requiring the Board to refer collaborating practice agreements to the peer review committee and to consider the recommendations of the peer review committee; requiring the Board to approve or deny proposed collaboration practice agreements within a certain time;”; in line 12, after “agreement;” insert “prohibiting a person from coercing another person into entering a collaborative practice agreement; providing a penalty for certain violations of this Act;”; in line 22, strike the second “and” and substitute a comma; in the same line, after “(28)” insert “, and 12-707(b)”; and in line 27, strike “and 12-508” and substitute “, 12-508, and 12-705”.

AMENDMENT NO. 2

On page 2, after line 10, insert:

“(III) AUDIOLOGICAL EQUIPMENT;”;

and in lines 11 and 12, strike “(iii)” and “(iv)”, respectively, and substitute “(IV)” and “(V)”, respectively.

AMENDMENT NO. 3

On page 5, strike in their entirety lines 5 through 9, inclusive, and substitute:

“(4) (I) THE BOARD SHALL ESTABLISH ONE OR MORE PEER REVIEW COMMITTEES.

(II) A PEER REVIEW COMMITTEE SHALL CONSIST OF THE

(Over)

FOLLOWING MEMBERS APPOINTED BY EACH RESPECTIVE BOARD:

1. ONE MEMBER OF THE BOARD OF PHARMACY;
2. ONE MEMBER OF THE BOARD OF DENTAL EXAMINERS;
3. TWO MEMBERS OF THE BOARD OF PHYSICIAN QUALITY ASSURANCE; AND
4. ONE MEMBER OF THE BOARD OF PODIATRIC MEDICAL EXAMINERS.

(III) THE BOARD SHALL:

1. REFER TO A PEER REVIEW COMMITTEE ALL PROPOSED COLLABORATIVE PRACTICE AGREEMENTS AND SUPPORTING DOCUMENTATION RECEIVED BY THE BOARD FOR THE PEER REVIEW COMMITTEE'S REVIEW AND RECOMMENDATIONS ON THE APPROPRIATENESS OF APPROVING THE PROPOSED COLLABORATIVE PRACTICE AGREEMENT;
2. CONSIDER THE RECOMMENDATIONS OF THE PEER REVIEW COMMITTEE; AND
3. APPROVE OR DENY THE PROPOSED COLLABORATIVE PRACTICE AGREEMENT WITHIN 35 DAYS AFTER RECEIVING THE RECOMMENDATIONS FROM THE PEER REVIEW COMMITTEE.”.

AMENDMENT NO. 4

On page 5, strike in their entirety lines 24 through 27, inclusive, and substitute:

“(I) REFER TO A PEER REVIEW COMMITTEE ESTABLISHED UNDER SUBSECTION (C)(4) OF THIS SECTION ALL RENEWAL APPLICATIONS AND SUPPORTING DOCUMENTATION RECEIVED BY THE BOARD FOR THE PEER REVIEW COMMITTEE'S REVIEW AND RECOMMENDATIONS ON THE APPROPRIATENESS OF APPROVING THE RENEWAL APPLICATION;

(II) CONSIDER THE RECOMMENDATIONS OF THE PEER REVIEW COMMITTEE; AND

(III) APPROVE OR DENY THE RENEWAL APPLICATION WITHIN 35 DAYS AFTER RECEIVING THE RECOMMENDATIONS FROM THE PEER REVIEW COMMITTEE.”.

AMENDMENT NO. 5

On page 7, in line 11, after “APPROPRIATE” insert “AFTER REVIEW AND RECOMMENDATION BY THE PEER REVIEW COMMITTEE ESTABLISHED UNDER SUBSECTION (C)(4) OF THIS SECTION”.

AMENDMENT NO. 6

On page 8, after line 3, insert:

“12-705.

A PERSON MAY NOT COERCE ANOTHER PERSON TO ENTER INTO A COLLABORATIVE PRACTICE AGREEMENT UNDER § 12-508 OF THIS TITLE.

12-707.

(b) A person who violates any provision of the following sections of this title is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$1,000 or imprisonment not exceeding 1 year or both:

(1) § 12-601 (“Manufacturing and packaging”);

(2) § 12-602 (“Distribution permits”);

(3) § 12-701 (“Practicing pharmacy without license”);

(4) § 12-702 (“License obtained by false representation”);

(5) § 12-703 (“Operating a pharmacy without permit”); [and]

(Over)

(6) § 12-704 (“Misrepresentations”)[.]; AND

(7) § 12-705 (“COERCING ANOTHER PERSON”).”.