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*Report from the Executive Director of MPA, Stuart Doggett  
February 26, 2009: Legislature at the Half-way Point - MPA active*

Today marks the halfway point of the Montana Legislative Session or what is called "transmittal." This means that by today all general bills must have cleared either the House or Senate or they are automatically dead. This rule does not apply to "revenue bills" which have until March 31<sup>st</sup> to clear either the House or Senate. Lawmakers have left Helena for the break and will resume their work on the second half of the session starting late on March 2<sup>nd</sup>.

**MPA Efforts at the Legislature:**

During the first half of the session MPA has been active on several bills impacting the pharmacy profession. Highlights of our efforts so far include success in supporting, opposing and amending various legislative proposes, including:

**Primary Bills MPA Opposed**

- **HB 257 - Died in House Committee** - This bill if passed would have allowed a medical practitioner to dispense drugs or devices when they were not available at a community pharmacy. In addition the bill would have created a new category called "auxiliary" and defined as a non-pharmacist adult employed by a licensed pharmacy who could assist in the practice of pharmacy or telepharmacy. The bill was introduced by Rep. Robin Driscoll (D) of Billings at the request of Planned Parenthood. MPA representatives strongly opposed the bill as too broad and in particular for provisions in the bill calling for a new "auxiliary" position instead of using existing laws to utilize pharmacy technicians.
- **HB 284, Died in House Committee** - This bill revised the laws on a pharmacist's duty to dispense. The bill stated a pharmacist has a duty to properly fill prescription orders for drugs or devices that it carries for customers without undue delay. In addition, it called for the Board of Pharmacy to establish additional conduct standards for pharmacists. The bill was introduced by Rep. Sue Dickenson (D) of Great Falls at the request of Planned Parenthood. MPA representatives opposed this bill as too broad and for adding needless and duplicative standards to the Pharmacy Practice Act.
- **SB 445, Passed Senate, remitted to House** - This is a bill requested by EBMS, a full-service employee benefit management company located in Billings, and is the same bill MPA helped to defeat in 2007. MPA is opposed to SB 445, which if passed will authorize a medical practitioner to dispense drugs at an employer-based onsite clinic pursuant to a written prescription from a medical practitioner. The bill cleared the State Senate and MPA will be seeking the help of all MPA members to contact members of the House and oppose this bill during the second half of the session.



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### Primary Bills MPA Supported

- **SB 174 - Passed Senate, remitted to House Business Committee-** The bill would create the professional classification of Advanced Pharmacist Practitioner. The pharmacist practitioner would be a licensed pharmacist in good standing who is certified by the board, in consultation with the board of medical examiners, to provide drug therapy management, including initiating, modifying, or discontinuing therapies, identifying and managing drug-related problems, or ordering tests under the direction or supervision of a prescriber. The person would have additional education, experience, or certification as required by the Board and would have a collaborative pharmacy practice agreement in place. Senator Gary Perry (R) of Manhattan is sponsoring the bill for MPA and he has done an excellent job in working with our organization to move this bill forward. The bill passed the State on a vote of 50 to 0.
- **SB 275 - Passed the Senate, remitted to House Business Committee -** This bill would add a Pharmacist to the Board of Pharmacy. Currently the Board of Pharmacy is made up of 6 members including 3 pharmacists, 1 pharmacy technician and 2 members of the public. The bill would increase the board from 6 to 7 members with the stipulation that the new person be a licensed pharmacist. We believe the pharmacy profession and the issues surrounding pharmacy are very technical and in order to protect the public and fairly regulate the profession the Board needs additional input from a licensed professional. Senator Carolyn Squires (D) of Missoula is sponsoring the bill for MPA and she has been a strong advocate for our profession this session. The bill passed the State Senate on a vote of 34 to 16.
- **HB 267 - Fails in House Committee -** This bill called for the establishment of a "Prescription Monitoring Program (PMP)" and would have created a centralized database to collect controlled substance prescription information submitted by pharmacies licensed in the State. The bill was sponsored by Rep. Teresa Henry (D) of Missoula at the request of MPA and other members of the PMP Coalition. Unfortunately, the bill did not fare very well in the House Human Services Committee. The committee held an extensive discussion on the bill in Executive Session and Committee members voiced numerous objections dealing with the database security, the cost to the State if the \$400,000 grant did not come through, the concern that the bill was a law enforcement bill (the opposite concern was expressed from law enforcement advocates), and concerns about the immunity clause. In the end HB 267 was voted down by the Committee and is dead for this session.

Please visit [www.rxmt.org](http://www.rxmt.org) and select "Montana Legislative News" to find the Bill Tracking list that our Executive Director of MPA, Stuart Doggett and his staff have worked so hard on putting together for us. Thanks to Stuart and his staff for a job well done and all their efforts during our legislation as well as our Association!

Be a part of the Montana Pharmacy Association today! Please JOIN at [www.rxmt.org](http://www.rxmt.org). Thank you!