

REFERENCE TITLE: pharmacists; independent testing; treatment; requirements

State of Arizona
Senate
Fifty-sixth Legislature
First Regular Session
2023

SB 1460

Introduced by
Senator Shope

AN ACT

AMENDING TITLE 32, CHAPTER 18, ARTICLE 3, ARIZONA REVISED STATUTES, BY
ADDING SECTION 32-1979.04; RELATING TO THE ARIZONA STATE BOARD OF
PHARMACY.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 32, chapter 18, article 3, Arizona Revised
3 Statutes, is amended by adding section 32-1979.04, to read:

4 32-1979.04. Independent testing; treatment; health
5 conditions; requirements

6 A. A PHARMACIST MAY INDEPENDENTLY ORDER TESTING AND INITIATE AND
7 PERFORM TREATMENT FOR ELIGIBLE PERSONS WHO TEST POSITIVE FOR ANY OF THE
8 FOLLOWING HEALTH CONDITIONS:

9 1. INFLUENZA.

10 2. A RESPIRATORY INFECTION.

11 3. A CONDITION RELATED TO AN EMERGING OR EXISTING PUBLIC HEALTH
12 THREAT IDENTIFIED BY THE DEPARTMENT OF HEALTH SERVICES FOR WHICH A
13 STATEWIDE STANDING ORDER, RULE OR EXECUTIVE ORDER IS ISSUED.

14 B. A PHARMACIST WHO CONDUCTS TESTS TO DETERMINE THE NEED FOR
15 TREATMENT PURSUANT TO SUBSECTION A OF THIS SECTION SHALL DO SO AT A
16 PHARMACY OR OTHER FACILITY THAT HAS OBTAINED A CERTIFICATE OF WAIVER FROM
17 THE CENTERS FOR MEDICARE AND MEDICAID SERVICES PURSUANT TO THE FEDERAL
18 CLINICAL LABORATORY IMPROVEMENT AMENDMENTS.

19 C. PHARMACISTS SHALL USE EVIDENCE-BASED CLINICAL GUIDELINES
20 PUBLISHED BY THE CENTERS FOR DISEASE CONTROL AND PREVENTION OR THE
21 INFECTIOUS DISEASES SOCIETY OF AMERICA OR OTHER CLINICALLY RECOGNIZED
22 RECOMMENDATIONS IN PROVIDING PATIENT TREATMENT PURSUANT TO SUBSECTION A OF
23 THIS SECTION.

24 D. AN ELIGIBLE PERSON MUST MEET CRITERIA FOR TREATMENT BASED ON
25 CURRENT CLINICAL GUIDELINES, WHEN AVAILABLE, OR EVIDENCE-BASED RESEARCH
26 FINDINGS THAT SPECIFY THE FOLLOWING:

27 1. PATIENT INCLUSION AND EXCLUSION CRITERIA.

28 2. EXPLICIT MEDICAL REFERRAL CRITERIA.

29 E. A PATIENT SHALL BE REFERRED TO THE PATIENT'S PRIMARY CARE
30 PROVIDER IF THE PATIENT EITHER:

31 1. IS NOT ELIGIBLE FOR PATIENT TREATMENT PURSUANT TO THIS SECTION
32 AND PRESENTS WITH DIFFERENTIAL SYMPTOMS.

33 2. DOES NOT RESPOND TO THE INITIAL TREATMENT PROVIDED PURSUANT TO
34 THIS SECTION.