

REFERENCE TITLE: pharmacies; safe practices; unprofessional conduct

State of Arizona  
Senate  
Fifty-sixth Legislature  
Second Regular Session  
2024

## **SB 1210**

Introduced by  
Senator Shope

### AN ACT

AMENDING TITLE 32, CHAPTER 18, ARTICLE 1, ARIZONA REVISED STATUTES, BY  
ADDING SECTION 32-1901.02; 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 1, Arizona Revised  
3 Statutes, is amended by adding section 32-1901.02, to read:

4 32-1901.02. Definition of unprofessional conduct; pharmacies;  
5 rules; definitions

6 A. IN THIS CHAPTER, IN ADDITION TO SECTION 32-1901.01 AND UNLESS  
7 THE CONTEXT OTHERWISE REQUIRES, FOR THE PURPOSES OF DISCIPLINING A  
8 PHARMACY, "UNPROFESSIONAL CONDUCT" INCLUDES THE FOLLOWING WHEN OCCURRING  
9 IN THIS STATE:

10 1. INTRODUCING OR ENFORCING A POLICY OR PROCEDURE RELATED TO THE  
11 PROVISION OF PHARMACY SERVICES IN A MANNER THAT RESULTS IN A DEVIATION  
12 FROM SAFE PRACTICES.

13 2. UNREASONABLY PREVENTING OR RESTRICTING A PATIENT'S TIMELY ACCESS  
14 TO PATIENT RECORDS OR PHARMACY SERVICES.

15 3. FAILING TO IDENTIFY AND RESOLVE A CONDITION THAT INTERFERES WITH  
16 A PHARMACIST'S ABILITY TO PRACTICE COMPETENTLY AND SAFELY OR CREATING AN  
17 ENVIRONMENT THAT JEOPARDIZES PATIENT CARE.

18 4. REPEATEDLY OR KNOWINGLY FAILING TO PROVIDE RESOURCES APPROPRIATE  
19 FOR A PHARMACIST OF REASONABLE DILIGENCE TO SAFELY COMPLETE PROFESSIONAL  
20 DUTIES AND RESPONSIBILITIES UNDER STATE OR FEDERAL LAWS AND THE RULES AND  
21 REGULATIONS ADOPTED PURSUANT TO THOSE LAWS.

22 5. REQUIRING A PHARMACIST TO OPERATE A PHARMACY WITH POLICIES AND  
23 PROCEDURES THAT DEVIATE FROM SAFE PRACTICES.

24 6. TAKING DISCIPLINARY ACTION OR OTHERWISE RETALIATING AGAINST A  
25 LICENSEE OR REGISTRANT WHO REPORTS OR REFUSES TO OPERATE A PHARMACY THAT  
26 DEVIATES FROM SAFE PRACTICES OR A PHARMACY THAT DEVIATES FROM STATE OR  
27 FEDERAL LAWS AND THE RULES AND REGULATIONS ADOPTED PURSUANT TO THOSE LAWS.

28 7. INTERFERING WITH A PHARMACIST'S ABILITY TO USE THE PHARMACIST'S  
29 PROFESSIONAL JUDGMENT WHEN CONDUCTING THE PRACTICE OF PHARMACY.

30 B. THE BOARD SHALL ADOPT ANY RULES NECESSARY TO IMPLEMENT THIS  
31 SECTION.

32 C. FOR THE PURPOSES OF THIS SECTION:

33 1. "PROVISION OF PHARMACY SERVICES" MEANS THE SERVICES PROVIDED TO  
34 A PATIENT BY A LICENSEE OR REGISTRANT.

35 2. "SAFE PRACTICES" MEANS PRACTICES THAT AIM TO PREVENT AND REDUCE  
36 RISKS, ERRORS AND HARM OR THREAT OF HARM TO THE PUBLIC.