

SENATE AMENDMENT NO. _____

Offered by _____ Of _____

Amend SS/HCS/House Bill No. 2046, Page 49, Section 337.050, Line 8,

2 by inserting after all of said line the following:

3 "338.220. 1. It shall be unlawful for any person,
4 copartnership, association, corporation or any other business
5 entity to open, establish, operate, or maintain any pharmacy as
6 defined by statute without first obtaining a permit or license to
7 do so from the Missouri board of pharmacy. A permit shall not be
8 required for an individual licensed pharmacist to perform
9 nondispensing activities outside of a pharmacy, as provided by
10 the rules of the board. A permit shall not be required for an
11 individual licensed pharmacist to administer drugs, vaccines, and
12 biologicals by protocol, as permitted by law, outside of a
13 pharmacy. The following classes of pharmacy permits or licenses
14 are hereby established:

- 15 (1) Class A: Community/ambulatory;
16 (2) Class B: Hospital pharmacy;
17 (3) Class C: Long-term care;
18 (4) Class D: Nonsterile compounding;
19 (5) Class E: Radio pharmaceutical;
20 (6) Class F: Renal dialysis;
21 (7) Class G: Medical gas;

- 1 (8) Class H: Sterile product compounding;
2 (9) Class I: Consultant services;
3 (10) Class J: Shared service;
4 (11) Class K: Internet;
5 (12) Class L: Veterinary;
6 (13) Class M: Specialty (bleeding disorder);
7 (14) Class N: Automated dispensing system (health care
8 facility);
9 (15) Class O: Automated dispensing system (ambulatory
10 care);
11 (16) Class P: Practitioner office/clinic;
12 (17) Class Q: Charitable pharmacy.

13 2. Application for such permit or license shall be made
14 upon a form furnished to the applicant; shall contain a statement
15 that it is made under oath or affirmation and that its
16 representations are true and correct to the best knowledge and
17 belief of the person signing same, subject to the penalties of
18 making a false affidavit or declaration; and shall be accompanied
19 by a permit or license fee. The permit or license issued shall
20 be renewable upon payment of a renewal fee. Separate
21 applications shall be made and separate permits or licenses
22 required for each pharmacy opened, established, operated, or
23 maintained by the same owner.

24 3. All permits, licenses or renewal fees collected pursuant
25 to the provisions of sections 338.210 to 338.370 shall be
26 deposited in the state treasury to the credit of the Missouri
27 board of pharmacy fund, to be used by the Missouri board of
28 pharmacy in the enforcement of the provisions of sections 338.210
29 to 338.370, when appropriated for that purpose by the general

1 assembly.

2 4. Class L: veterinary permit shall not be construed to
3 prohibit or interfere with any legally registered practitioner of
4 veterinary medicine in the compounding, administering,
5 prescribing, or dispensing of their own prescriptions, or
6 medicine, drug, or pharmaceutical product to be used for animals.

7 5. Except for any legend drugs under 21 U.S.C. Section 353,
8 the provisions of this section shall not apply to the sale,
9 dispensing, or filling of a pharmaceutical product or drug used
10 for treating animals.

11 6. A "class B hospital pharmacy" shall be defined as a
12 pharmacy owned, managed, or operated by a hospital as defined by
13 section 197.020 or a clinic or facility under common control,
14 management or ownership of the same hospital or hospital system.
15 This section shall not be construed to require a class B hospital
16 pharmacy permit or license for hospitals solely providing
17 services within the practice of pharmacy under the jurisdiction
18 of, and the licensure granted by, the department of health and
19 senior services under and pursuant to chapter 197.

20 7. Upon application to the board, any hospital that holds a
21 pharmacy permit or license on August 28, 2014, shall be entitled
22 to obtain a class B pharmacy permit or license without fee,
23 provided such application shall be submitted to the board on or
24 before January 1, 2015."; and

25 Further amend the title and enacting clause accordingly.