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SB-1254 Hospital pharmacies: medication profiles or lists for high-risk patients. (2017-2018)

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Senate Bill No. 1254

CHAPTER 697

An act to add Section 4118.5 to the Business and Professions Code, relating to healing arts.

[Approved by Governor September 22, 2018. Filed with Secretary of State September 22, 2018.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1254, Stone. Hospital pharmacies: medication profiles or lists for high-risk patients.

Existing law, the Pharmacy Law, provides for the licensure and regulation of pharmacists, intern pharmacists, pharmacy technicians, and pharmacies by the California State Board of Pharmacy. Existing regulatory law requires a pharmacy to maintain medication profiles on all patients who have prescriptions filled at that pharmacy, except under specified circumstances. A knowing violation of the Pharmacy Law is a crime.

This bill would require a pharmacist at a hospital pharmacy to obtain an accurate medication profile or list for each high-risk patient upon admission of the patient under specified circumstances. The bill would authorize an intern pharmacist or a pharmacy technician to perform the task of obtaining an accurate medication profile or list for a high-risk patient if certain conditions are satisfied. The bill would require the hospital to establish criteria regarding who is a high-risk patient for purposes of the bill's provisions, and determine a timeframe for completion of the medication profile or list, based on the populations served by the hospital. The bill would exclude the State Department of State Hospitals from the bill's provisions.

By placing new requirements on a pharmacist, this bill would expand the scope of an existing crime and would, therefore, impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 4118.5 is added to the Business and Professions Code, to read:

4118.5. (a) A pharmacist at a hospital pharmacy shall obtain an accurate medication profile or list for each high-risk patient upon admission of the high-risk patient under the following conditions:

- (1) The hospital has more than 100 beds.

(2) The accurate medication profile or list may be acquired by the pharmacist during the hospital pharmacy's hours of operation.

(b) Notwithstanding any other law, a pharmacy technician or an intern pharmacist may perform the task of obtaining an accurate medication profile or list for a high-risk patient if both of the following conditions are satisfied:

(1) The hospital pharmacy has a quality assurance program to monitor competency.

(2) The hospital has established policies and procedures for training and proctoring pharmacy technicians or intern pharmacists by the hospital pharmacy department and the pharmacy technician or intern pharmacist has completed that training and proctoring.

(c) The hospital shall establish criteria regarding who is a high-risk patient for purposes of this section, and shall determine the timeframe for completion of the medication profile or list, based on the patient populations served by the hospital.

(d) The board may adopt rules and regulations to carry out the purposes and objectives of this section.

(e) This section shall not apply to the State Department of State Hospitals.

(f) Nothing in this section shall be construed to prohibit a healing arts licensee licensed pursuant to this division from obtaining an accurate medication profile or list.

SEC. 2. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.