



What's Going on in the States: State Legislative and Regulatory Update

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Learning Objectives

- Review state-specific legislation and regulation changes as pertains to compounding.
- Identify and discuss the trends in legislative and regulatory changes.
- Identify methods to review changes in state legislation and regulations.



States Biennial Sessions 2017-18

- 46 states & DC convened in 2018 (MT, NV, ND, TX not in session)
- 38 adjourned as of June 30
- 8 now in session; 6 meet year round
- New Jersey only state that will carryover



State Legislative Compounding Overview

- Bills in 21 states (AL, AK, AZ, CA, FL, HI, IL, IN, KS, MA, MI, MN, NH, NJ, NM, NY, OK, SC, VA, VT, WI)
- 65 compounding and related bills introduced
- 8 bills passed by legislatures
- 6 signed by governors as of May 18
- 11 died
- 40 still in committees



State Legislative Compounding Overview

Signed into Law

AL SB 32

AZ HB 2149

IN SB 6

KS SB 263

SC HB 3926

VA HB 87

Dead/Killed

AL HB 61

**FL HB 605, 679, 1047; SB 849,
1372, 1486**

KS SB 377

NM SB 258

VA HB 100

WI AB 182



What's Trending

- Compounding licensure
- Compounding standards/requirements
- Outsourcing facilities registrations, requirements
- Workers' compensation (compounded Rx coverage)
- Lethal injections (compounding)
- Veterinary medications (compounding/pharmacist, veterinarian)
- Fee reimbursement, methodology (compounded Rx)



Compounding Licensure

4 states, 5 bills

- Alaska HB 9, HB 37
- Florida HB 1047
- Massachusetts HB 1267
- Oklahoma HB 2971



Compounding Standards/Requirements

12 states, 21 bills, *signed into law

AZ HB 2149*

FL HB 605, 679, 1047;

SB 848, 1372

HI HB 370

IL SB 1604

KS SB 263*

MA HB 3239

MN HB 4451; SB 730

1711, 4014

NH SB 581

NJ AB 1580, SB 1736

NY AB 101, 2630, 4611;

SB 5584, 6436

SC HB 3926*, 4490; SB497

WI AB 182



Outsourcing Facilities Registration

7 states, 10 bills, *signed into law

- Alabama HB 61, SB 32*
- Alaska HB 9, SB 37
- Florida HB 1047, SB 1486
- Hawaii HB 370
- Indiana SB 6*
- New Mexico SB 258
- Vermont HB 684



Workers' Compensation (compounded Rx coverage)

3 states, 10 bills

- Hawaii HB 730, 706, 1117, 1181, 1631;
SB 330, 338, 983
- Illinois HB 5354
- Oklahoma HB 3277



Lethal Injections (compounding)

4 states, 5 bills

- Indiana SB 6
- Kansas SB 377
- South Carolina HB 4629, SB 871
- Virginia HB 100



Veterinary Medications

(compounding/pharmacist, veterinarian)

4 states, 7 bills, *signed into law

- Massachusetts HB 1224
- Minnesota HB 4055, SB 563
- New York AB 3440, 5592, SB 4360
- Virginia HB 875*



Fee Reimbursement, Methodology (compounded Rx)

3 states, 4 bills

- Illinois HB 5354
- Minnesota HB 1819, SB 563
- Oklahoma HB 1921



State Compounding Regulation Overview

- 32 states proposed regulations (AL, AZ, AR, CA, CO, DE, DC, FL, IA, ID, IL, KS, KY, LA, MA, MO, MS, NC, NE, NH, NM, NV, OH, OK, OR, PA, SC, TN, TX, VA, WA, WI)
- 65 proposed regulations as of May 18
- 24 adopted
- 12 in effect
- 5 abandoned
- 24 still under consideration



State Compounding Regulation Overview

Adopted

AZ, CA, CO, DC

FL, IA, ID, KS,

KY, LA, MO, NV

OH, OK, TN, TX

VA, WA, WI

Abandoned

KY, LA, MO, WA

In Effect

AZ, CA, CO, FL,

IA, KS, KY, NV,

OH, TN, TX



What's Trending

- Compounding licensure
- Compounding standards/requirements
- USP 795, 797, 800
- Outsourcing facilities registrations, requirements
- Office use
- Workers' compensation (compounded Rx coverage)
- Veterinary medications (compounding/pharmacist, veterinarian)
- Fee reimbursement, methodology (compounded Rx)



Compounding Licensure

7 states

- Arizona
- California
- Florida
- Iowa
- Mississippi
- Nevada
- Washington



Compounding Standards/Requirements

18 states

Arizona

Iowa

Ohio

California

Kansas

Oklahoma

DC

Kentucky

Oregon

Florida

Massachusetts

Texas

Delaware

Mississippi

Washington

Illinois

Missouri

Wisconsin



USP 795, 797, 800

8 states

Alabama

Delaware (800)

DC (800)

Illinois

Iowa

Kansas

Washington (800)

Wisconsin



Outsourcing Facilities Registration

6 states

Arkansas

Delaware

Florida (3)

Idaho

Kentucky

New Hampshire



Outsourcing Facilities Registration

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Outsourcing Facilities Registration

“You’ve come a long way, baby!”

2 – 38

2014 – 2 states required 503B (outsource) licenses

2018 – 38 states now have specific outsource licenses



Office Use

4 states

- Florida
- Illinois
- Kansas
- Louisiana (vet meds)



Workers' Compensation, Methodology

(compounded Rx)

3 states

- Colorado (2)
- Tennessee
- Texas



Veterinary Medications

(compounding/pharmacist, veterinarian)

3 states

- Illinois
- Louisiana
- Nevada



Fee Reimbursements (compounded Rx)

3 states

- District of Columbia
- Massachusetts
- Oklahoma



Pharmacy Trends

- Prescription drug abuse (opioids/naloxone)
- Allergies (epinephrine)
- Pharmacist prescribing
- Pharmacy health IT (USP/compounding)



Resources for Compounding and Pharmacy-related Issues

- IACP staff & website (www.iacprx.org)
- National Alliance of State Pharmacy Associations (NASPA)
(staff & website; www.naspa.org)
- State pharmacy associations (staff, newsletters, websites)
- National Association of Boards of Pharmacy (NABP)
(e-newsletter; www.nabp.net)
- State Boards of Pharmacy (staff, websites, newsletters)
- National Conference of State Legislatures (NCSL)(www.ncsl.org)



Summer Meetings – National Public Policy Orgs.

American Legislative Exchange Council (ALEC)(www.alec.org)

- Annual Meeting: August 8-10, New Orleans, LA

Council of State Governments (CSG)(www.csg.org)

- CSG-ERC (Eastern): August 5-8, Rye Brooke, NY (www.csg-erc.org)
- CSG Midwest: July 15-18, Winnipeg, Manitoba (www.csgmidwest.org)
- CSG SLC (Southern): July 21-25, St. Louis, MO (www.slcatlanta.org)
- CSG West: September 11-15, Snowbird, Utah (www.csgwest.org)



Summer Meetings – National Public Policy Orgs.

National Conference of State Legislatures (NCSL)(www.ncsl.org)

- Annual Legislative Summit: July 30-August 2, Los Angeles, CA

National Association of Boards of Pharmacy (NABP)(www.nabp.net)

District meetings (<https://nabp.pharmacy/meetings-categories/district-meetings/>)

- Districts 1 & 2: September 20-22, Washington, DC
- District 3: August 12-14, Asheville, NC
- District 4: November 7-9, Grand Rapids, Michigan
- District 5: August 1-3, Saskatoon, Saskatchewan
- District 6, 7, 8: October 14-17, Kansas City, MO



Need More Information?

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