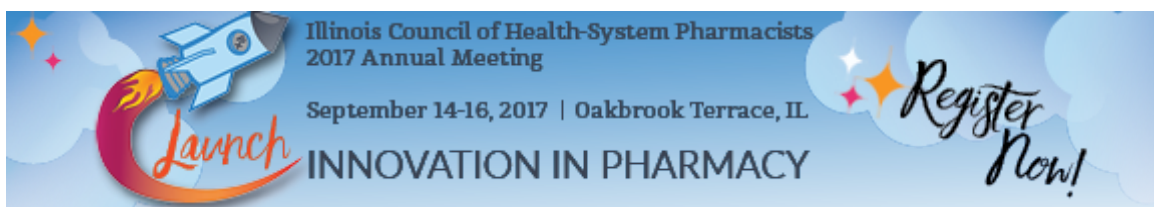




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Government Affairs Report *It's not over till it's over!*

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by Jim Owen and Scott Meyers

While the spring 2017 General Session of the Illinois General Assembly ended over a month ago, there's still much to be done. Last month's Government Affairs Report was written a week or two before the legislature adjourned, and we were patiently waiting for passage of a temporary Pharmacy Practice Act. We, almost 30 days after adjournment, are still waiting. HB3462 passed in both the House and Senate, but the latter chamber amended it slightly and we now await concurrence from the House before it can be sent to the Governor. Several other bills have been passed and are headed to the Governor, and at least one more bill that indirectly impacts pharmacy, the Sunset of the Nurse Practice Act, also awaits House concurrence.

Overall, the session went well considering that pharmacy started deep at its own 1-yard line and its back up against the goal line, because of the impact of the December Tribune article and more importantly, the failure to counsel by our colleagues on the community side. Once the House reaches concurrence, which they might do during the end of June Special Session called by the Governor, and then the Governor signs the revision, we will begin the real work of reviewing and rewriting the Pharmacy Practice Act for the next 10 years.

The ICHP Division of Government Affairs has been and continues to work on drafting revisions to the Practice Act and welcomes input from any members. Our goal is to create an environment that improves patient safety and outcomes without impeding practice by pharmacists and pharmacy technicians across Illinois.

2017 Illinois General Assembly Bill Summary

Bill Number	Sponsor	Summary	Location	ICHP Position
SB0636	Link – Gurnee, D	Amends the Pharmacy Practice Act. Provides that the Act shall not apply to, or in any manner interfere with, the sale or distribution of dialysate, drugs, or devices necessary to perform home renal dialysis for patients with chronic kidney failure, provided that certain conditions are met. Effective immediately.	Passed both chambers	
SB1585	Martinez –	Amends the Regulatory Sunset Act.	Passed in	

	Chicago, D	<p>Extends the repeal date of the Physician Assistant Practice Act of 1987 from January 1, 2018 to January 1, 2028. Amends the Physician Assistant Practice Act of 1987. Reorganizes the Act by adding titles and renumbering provisions. Replaces references to "supervising physicians" with references to "collaborating physicians" throughout the Act. Replaces references to "supervision agreement" with references to "collaborative agreement" throughout the Act. Adds provisions concerning continuing education. In provisions concerning grounds for disciplinary action, provides that the Department of Financial and Professional Regulation may refuse to issue or renew a physician assistant license or discipline a licensee for willfully or negligently violating a patient's confidentiality, except as required by law, or failing to provide copies of medical records as required by law. Amends various Acts to conform references and terminology. Makes other changes. Effective immediately.</p>	both chambers	
SB1790	Stadelman – Rockford, D	<p>Senate Floor Amendment No. 2 Replaces everything after the enacting clause. Amends the Pharmacy Practice Act. Provides that a pharmacist may exercise professional judgment to dispense an emergency supply of medication for a chronic disease or condition if the pharmacist is unable to obtain refill authorization from the prescriber when certain conditions are met. Provides that the emergency supply must be limited to the amount needed for the emergency period as determined by the pharmacist but the amount shall not exceed a 30-day supply. Effective immediately</p>	Passed in both chambers	Support as amended
SB1944	Nybo – Lombard, R	<p>Senate Amendment 1 Replaces everything after the enacting clause. Amends the Hypodermic Syringes and Needles Act. Provides that a person who is at least 18 years of age may purchase from a pharmacy and have in his or her possession up to 100 (rather than 20) hypodermic syringes or needles. Provides that a pharmacist may sell up to 100 (rather than 20) sterile hypodermic syringes or needles to a person who is at least 18 years of age. Provides that a</p>	Passed in both chambers	Support as amended

		<p>prescriber (rather than a licensed physician) may direct a patient under his or her immediate charge to have in possession any of the hypodermic syringes and needles permitted by the Act. Deletes provision that the Illinois Department of Public Health must develop educational materials and make copies of the educational materials available to pharmacists. Deletes provision that pharmacists must make these educational materials available to persons who purchase syringes and needles as authorized under the Act. Permits an electronic order for the hypodermic syringes and needles. Defines "prescriber".</p>		
HB0313	Feigenholtz – Chicago, D	<p>Amends the Regulatory Sunset Act. Extends the repeal of the Nurse Practice Act from January 1, 2018 to January 1, 2028. Amends the Nurse Practice Act. Defines "focused assessment", "full practice authority", "oversight", and "postgraduate advanced practice nurse". Changes references of "advanced practice nurse" and "APN" to "advanced practice registered nurse" and "APRN" throughout the Act. Replaces provisions regarding nursing delegation with provisions that prohibit specified actions. Provides other guidelines for delegation of nursing activities and medication administration. Makes changes to education program requirements, qualifications for licensure, the scope of practice, and continuing education for LPN and RN licensees. Provides that a written collaborative agreement is required for all postgraduate advanced practice registered nurses until specific requirements have been met. Provides that postgraduate advanced practice registered nurses may enter into written collaborative agreements with collaborating advanced practice registered nurses or physicians (rather than collaborating physicians or podiatric physicians). In provisions concerning prescriptive authority for postgraduate advanced practice registered nurses, sets forth the requirements for postgraduate advanced practice registered nurses to have prescriptive authority and the limitations of such</p>	Awaiting Concurrence in the House	Support as amended

		authority. Makes changes to provisions concerning the grounds for disciplinary action under the Act. Requires the Department of Public Health to prepare a report regarding the moneys appropriated from the Nursing Dedicated and Professional Fund to the Department of Public Health for nursing scholarships. Makes other changes. Effective immediately.		
HB0524	Wheeler – Crystal Lake, R	Amends the Safe Pharmaceutical Disposal Act. Provides that pharmaceuticals disposed of under the Act may be destroyed in a drug destruction device. Amends the Environmental Protection Act. Expands the definition of "drug evidence" to include any used, expired, or unwanted pharmaceuticals collected under the Safe Pharmaceutical Disposal Act. Effective immediately.	Passed in both chambers	
HB0706	Bellock – Westmont, R	Amends the Safe Pharmaceutical Disposal Act. Provides that in the absence of a police officer, State Police officer, coroner, or medical examiner at the scene of a death, a nurse or physician may dispose of unused medication found at the scene while engaging in the performance of his or her duties. Provides that anyone authorized to dispose of unused medications under the Act, and his or her employer, employees, or agents shall incur no civil liability, criminal liability, or professional discipline, except for willful or wanton misconduct, as a result of any injury arising from his or her good faith disposal or non-disposal of unused medication. Defines "nurse" and "physician". Amends the Medical Practice Act of 1987 and the Nurse Practice Act to make conforming changes. Effective immediately.	Passed in both chambers	
HB2531	Hammond – Macomb, R	Amends the Illinois Food, Drug and Cosmetic Act. Deletes provisions requiring manufacturers to provide the Director of Public Health with a notification containing product technical bioequivalence information no later than 60 days prior to specified generic drug product substitution. Effective immediately.	Passed in both chambers	
HB2534	Bourne – Litchfield, R	Amends the Illinois Controlled Substances Act. Requires that to be illegal a drug analog must not be	Passed in both chambers	

		approved by the United States Food and Drug Administration or, if approved, it is not dispensed or possessed in accordance with State and federal law. Defines "controlled substance" to include a synthetic drug enumerated as a scheduled drug under the Act. Adds chemical structural classes of synthetic cannabinoids and piperazines to the list of Schedule I controlled substances. Includes certain substances approved by the FDA which are not dispensed or possessed in accordance with State or federal law and certain modified substances.		
HB2708	Demmer – Rochelle, R	Amends the Illinois Controlled Substances Act. Provides that the Department of Human Services may release information received by the central repository to select representatives of the Department of Children and Family Services through the indirect online request process. Provides that access shall be established by the Prescription Monitoring Program Advisory Committee by rule.	Passed in both chambers	
HB2957 same as SB1546	Fine – Glenview, D	Amends the Illinois Insurance Code. Provides that every policy of accident and health insurance amended, delivered, issued, or renewed after the effective date of the amendatory Act that provides coverage for prescription drugs shall provide for synchronization of prescription drug refills on at least one occasion per insured per year provided that certain conditions are met. Requires insurers to provide prorated daily cost-sharing rates when necessary. Makes conforming changes in the State Employees Group Insurance Act of 1971, the Counties Code, the Illinois Municipal Code, the School Code, the Health Maintenance Organization Act, the Limited Health Services Organization Act, the Voluntary Health Services Plan Act, and the Illinois Public Aid Code. Effective immediately.	Passed in both chambers	
HB3462	Zalewski – Riverside, D	House Amendment 3: In provisions amending the Regulatory Sunset Act, provides that the repeal date of the Pharmacy Practice is extended to January 1, 2020 (rather than January 1, 2019). Provides that appointments to the Collaborative Pharmaceutical Task Force	Awaiting Concurrence in the House	Support as amended

		<p>shall be made by the specified person or his or her designee. Changes the date that voting members of the Task Force shall vote on recommendations from September 1, 2018 to September 1, 2019. Changes the date the Department of Financial and Regulation shall propose rules for adoption or recommend legislation to the General Assembly from October 1, 2018 to October 1, 2019. Repeals provisions concerning the Task Force on October 1, 2020 (rather than October 1, 2019).</p> <p>Senate Amendment 1: In provisions amending the Pharmacy Practice Act, removes provisions concerning automated pharmacy systems and remote dispensing.</p>		
	Support strongly			
	Monitor closely			
	Oppose strongly			
	Legislation passed			