SB0636 Enrolled

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AN ACT concerning regulation.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Pharmacy Practice Act is amended by changing
Section 4 as follows:

6 (225 ILCS 85/4) (from Ch. 111, par. 4124)

7 (Section scheduled to be repealed on January 1, 2018)
8 Sec. 4. Exemptions. Nothing contained in any Section of

this Act shall apply to, or in any manner interfere with:

- (a) the lawful practice of any physician licensed to practice medicine in all of its branches, dentist, podiatric physician, veterinarian, or therapeutically or diagnostically certified optometrist within the limits of his or her license, or prevent him or her from supplying to his or her bona fide patients such drugs, medicines, or poisons as may seem to him appropriate;
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(b) the sale of compressed gases;

18 (c) the sale of patent or proprietary medicines and 19 household remedies when sold in original and unbroken packages 20 only, if such patent or proprietary medicines and household 21 remedies be properly and adequately labeled as to content and 22 usage and generally considered and accepted as harmless and 23 nonpoisonous when used according to the directions on the SB0636 Enrolled - 2 - LRB100 06838 SMS 16887 b

label, and also do not contain opium or coca leaves, or any 1 2 compound, salt or derivative thereof, or any drug which, according to the latest editions of the following authoritative 3 pharmaceutical treatises and standards, namely, The United 4 5 States Pharmacopoeia/National Formulary (USP/NF), the United States Dispensatory, and the Accepted Dental Remedies of the 6 Therapeutics of the American 7 Council of Dental Dental 8 Association or any or either of them, in use on the effective 9 date of this Act, or according to the existing provisions of 10 the Federal Food, Drug, and Cosmetic Act and Regulations of the 11 Department of Health and Human Services, Food and Drug 12 Administration, promulgated thereunder now in effect, is 13 designated, described or considered as a narcotic, hypnotic, 14 habit forming, dangerous, or poisonous drug;

15 (d) the sale of poultry and livestock remedies in original 16 and unbroken packages only, labeled for poultry and livestock 17 medication;

the sale of poisonous substances or mixture of 18 (e) 19 poisonous substances, in unbroken packages, for nonmedicinal 20 use in the arts or industries or for insecticide purposes; 21 provided, they are properly and adequately labeled as to 22 content and such nonmedicinal usage, in conformity with the 23 provisions of all applicable federal, state and local laws and 24 regulations promulgated thereunder now in effect relating 25 thereto and governing the same, and those which are required 26 under such applicable laws and regulations to be labeled with

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the word "Poison", are also labeled with the word "Poison" 1 2 printed thereon in prominent type and the name of a readily obtainable antidote with directions for its administration; 3

(f) the delegation of limited prescriptive authority by a 4 5 physician licensed to practice medicine in all its branches to a physician assistant under Section 7.5 of the Physician 6 7 Assistant Practice Act of 1987. This delegated authority under 8 Section 7.5 of the Physician Assistant Practice Act of 1987 9 may, but is not required to, include prescription of controlled 10 substances, as defined in Article II of the Illinois Controlled 11 Substances Act, in accordance with a written supervision 12 agreement; and

13 (q) the delegation of prescriptive authority by a physician 14 licensed to practice medicine in all its branches or a licensed 15 podiatric physician to an advanced practice nurse in accordance 16 with a written collaborative agreement under Sections 65-35 and 17 65-40 of the Nurse Practice Act; and.

(h) the sale or distribution of dialysate or devices 18 19 necessary to perform home peritoneal renal dialysis for 20 patients with end-stage renal disease, provided that all of the 21 following conditions are met:

22 (1) the dialysate, comprised of dextrose or 23 icodextrin, or devices are approved or cleared by the 24 federal Food and Drug Administration, as required by 25 federal law; 26

(2) the dialysate or devices are lawfully held by a

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1	manufacturer or the manufacturer's agent, which is
2	properly registered with the Board as a manufacturer or
3	wholesaler;
4	(3) the dialysate or devices are held and delivered to
5	the manufacturer or the manufacturer's agent in the
6	original, sealed packaging from the manufacturing
7	facility;
8	(4) the dialysate or devices are delivered only upon
9	receipt of a physician's prescription by a licensed
10	pharmacy in which the prescription is processed in
11	accordance with provisions set forth in this Act, and the
12	transmittal of an order from the licensed pharmacy to the
13	manufacturer or the manufacturer's agent; and
14	(5) the manufacturer or the manufacturer's agent
15	delivers the dialysate or devices directly to: (i) a
16	patient with end-stage renal disease, or his or her
17	designee, for the patient's self-administration of the
18	<u>dialysis therapy or (ii) a health care provider or</u>
19	institution for administration or delivery of the dialysis
20	therapy to a patient with end-stage renal disease.
21	This paragraph (h) does not include any other drugs for
22	peritoneal dialysis, except dialysate, as described in item (1)
23	of this paragraph (h). All records of sales and distribution of
24	dialysate to patients made pursuant to this paragraph (h) must
25	be retained in accordance with Section 18 of this Act.
26	(Source: P.A. 98-214, eff. 8-9-13.)

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