

HB3647



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB3647

by Rep. Mary Edly-Allen

SYNOPSIS AS INTRODUCED:

225 ILCS 85/15

from Ch. 111, par. 4135

Amends the Pharmacy Practice Act. Requires a pharmacy to offer a kiosk to dispose of prescription and over-the-counter medications free of charge.

LRB101 10513 SMS 55619 b

A BILL FOR

1 AN ACT concerning regulations.

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

4 Section 5. The Pharmacy Practice Act is amended by changing
5 Section 15 as follows:

6 (225 ILCS 85/15) (from Ch. 111, par. 4135)

7 (Section scheduled to be repealed on January 1, 2020)

8 Sec. 15. Pharmacy requirements.

9 (1) It shall be unlawful for the owner of any pharmacy, as
10 defined in this Act, to operate or conduct the same, or to
11 allow the same to be operated or conducted, unless:

12 (a) It has a licensed pharmacist, authorized to
13 practice pharmacy in this State under the provisions of
14 this Act, on duty whenever the practice of pharmacy is
15 conducted;

16 (b) Security provisions for all drugs and devices, as
17 determined by rule of the Department, are provided during
18 the absence from the licensed pharmacy of all licensed
19 pharmacists. Maintenance of security provisions is the
20 responsibility of the licensed pharmacist in charge; and

21 (c) The pharmacy is licensed under this Act to conduct
22 the practice of pharmacy in any and all forms from the
23 physical address of the pharmacy's primary inventory where

1 U.S. mail is delivered. If a facility, company, or
2 organization operates multiple pharmacies from multiple
3 physical addresses, a separate pharmacy license is
4 required for each different physical address.

5 (2) The Department may allow a pharmacy that is not located
6 at the same location as its home pharmacy and at which pharmacy
7 services are provided during an emergency situation, as defined
8 by rule, to be operated as an emergency remote pharmacy. An
9 emergency remote pharmacy operating under this subsection (2)
10 shall operate under the license of the home pharmacy.

11 (3) The Secretary may waive the requirement for a
12 pharmacist to be on duty at all times for State facilities not
13 treating human ailments. This waiver of the requirement remains
14 in effect until it is rescinded by the Secretary and the
15 Department provides written notice of the rescission to the
16 State facility.

17 (4) It shall be unlawful for any person, who is not a
18 licensed pharmacy or health care facility, to purport to be
19 such or to use in name, title, or sign designating, or in
20 connection with that place of business, any of the words:
21 "pharmacy", "pharmacist", "pharmacy department", "apothecary",
22 "druggist", "drug", "drugs", "medicines", "medicine store",
23 "drug sundries", "prescriptions filled", or any list of words
24 indicating that drugs are compounded or sold to the lay public,
25 or prescriptions are dispensed therein. Each day during which,
26 or a part which, such representation is made or appears or such

1 a sign is allowed to remain upon or in such a place of business
2 shall constitute a separate offense under this Act.

3 (5) The holder of any license shall conspicuously display
4 it in the pharmacy in which he is engaged in the practice of
5 pharmacy. The pharmacist in charge shall conspicuously display
6 his name in such pharmacy. The pharmacy license shall also be
7 conspicuously displayed.

8 (6) A pharmacy shall offer a kiosk to dispose of
9 prescription and over-the-counter medications free of charge.

10 (Source: P.A. 100-497, eff. 9-8-17.)