

April 21, 2005

H 1493. PHARMACY QUALITY ASSURANCE PROTECTION ACT. ESTABLISHING THE PHARMACY QUALITY ASSURANCE PROTECTION ACT TO FACILITATE THE CONTINUOUS REVIEW OF THE PRACTICE OF PHARMACY. Enacts new Article 4B of GS Chapter 90.

Provides that person or entity holding valid pharmacy permit must establish or participate in pharmacy quality assurance program to evaluate: (1) quality of practice of pharmacy; (2) cause of medication errors; (3) pharmaceutical care outcomes; (4) possible improvements for practice of pharmacy; and (5) methods to reduce medication error occurrences. Defines "pharmacy quality assurance program" as one of the following: (1) a program of a pharmacy association incorporated under GS Chapter 55A that evaluates the quality of pharmacy services and medication errors and makes recommendations to improve quality of pharmacy services; or (2) a program established by person or entity holding a valid pharmacy permit to evaluate the quality of pharmacy services and medication errors and make recommendations to improve the quality of pharmacy services. Sets out provisions on immunity from liability concerning information furnished in program and how confidential information may be used. Provides that on written request of Board of Pharmacy, pharmacy must provide documentation of any medication error committed by a pharmacist of which pharmacy has knowledge within three years preceding date of request when: (1) medication error resulted in emergency room visit attributed to medication error, hospitalization requiring overnight stay or longer, or fatalities; and (2) pharmacist is subject to disciplinary action.

Intro. by Cole.

Ref. to Health

GS 90

May 31, 2005

H 1493. PHARMACY QUALITY ASSURANCE PROTECTION ACT. Intro. 4/21/05. House committee substitute makes the following changes to 1st edition. Amends GS 90-85.21(a) to permit pharmacies to notify the Board of a designated agent for notice of investigations. Modifies definition of pharmacy assurance program in GS 90-85.46 to include a quality assurance committee or medical or peer review committee established by a health care provider or a health care facility that includes evaluation of the quality of pharmacy services and medication errors and makes recommendations to improve the quality of pharmacy services. Also makes clarifying changes to provisions of proposed Article 4B of GS Chapter 90 dealing with the use of confidential information. Amends provisions relating to when and how the Board of Pharmacy can request information about an alleged medication incident or error from a pharmacy and specifies that all information furnished to the board must be returned within 10 days after Board makes findings and conclusions about the incident at issue. Documentation provided to the Board may not include proceedings or records from a pharmacy quality assurance program or prepared by a pharmacy for use by a quality assurance program.

August 10, 2005

H 1493. PHARMACY QUALITY ASSURANCE PROTECTION ACT. Intro. 4/21/05. Senate committee substitute makes the following changes to 2nd edition. Amends GS 90-85.21 to provide that if a pharmacy permittee identifies a designated agent, the Board must notify the agent of any investigation within 48 hours of initiation. Adds new language to GS 90-85.26 requiring a permittee's designated agent to maintain certain documentation related to known medication errors and incidents. Modifies new GS 90-85.46 and 90-85.47 throughout to clarify that the pharmacy quality assurance program applies to alleged medication errors and incidents. Revises new GS 90-85.47 to provide that the records and information considered by the quality assurance program are not public records. Information that is otherwise public record does not lose its status as public record simply because it is considered in the quality assurance program. Revises the language that exempts this information from discovery in civil actions, administrative proceedings, and board investigations. Information that is otherwise subject to discovery is not immune simply because it is considered in the quality assurance program. Adds language preserving the right of the Board to obtain information for an investigation resulting from a complaint to the Board. Makes technical changes.

August 11, 2005

H 1493. PHARMACY QUALITY ASSURANCE PROTECTION ACT. Intro. 4/21/05. Senate amendment makes the following changes to 3rd edition. Adds new language to provide that the provisions of the act creating the Pharmacy Quality Assurance Protection Act supersede administrative rules regulating the maintenance of alleged medication error or incident records in effect when the act becomes law (January 1, 2006).

August 23, 2005

H 1493. PHARMACY QUALITY ASSURANCE PROTECTION ACT. Intro. 4/21/05. Conference report recommends the following changes to 4th edition to reconcile matters in controversy. Adopts the 4th edition with the following changes. (1) In GS 90-85.21(a), deletes the requirement that notice of a Board investigation must come to a pharmacy permittee's designated agent within 48 hours of the initiation of the investigation, but adds a provision specifying that the notice of the investigation must be given before the initiation of disciplinary proceedings. (2) In proposed GS 90-85.47(e), expands the information that is to be provided by a pharmacy permittee's agent concerning a pharmacist's alleged medical error or incident by including as a reportable event any alleged error or incident that resulted in a visit to a physician (4th edition had covered only errors and incidents that resulted in a visit to an emergency room). (3) Also in GS 90-85.47(e), deletes the provision that any information provided to the Board is to be returned to the pharmacy permittee's designated agent within 10 days after the Board has made findings of fact and conclusions of law.

October 5, 2005

SL 2005-427 (H 1493). PHARMACY QUALITY ASSURANCE PROTECTION ACT. AN ACT ESTABLISHING THE PHARMACY QUALITY ASSURANCE PROTECTION ACT TO FACILITATE THE CONTINUOUS REVIEW OF THE PRACTICE OF PHARMACY. Summarized in *Daily Bulletin* 4/21/05, 5/31/05, 8/10/05, 8/11/05, and 8/23/05. Enacted September 22, 2005. Effective January 1, 2006.