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SENATE

STATE OF MINNESOTA
EIGHTY-SEVENTH LEGISLATURE

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S.F. No. 2173

1.1 A bill for an act

1.2 relating to health; authorizing automated drug distribution systems; proposing

1.3 coding for new law in Minnesota Statutes, chapter 151.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. **[151.58] AUTOMATED DRUG DISTRIBUTION SYSTEMS.**

1.6 Subdivision 1. **Definitions.** (a) For purposes of this section, the terms defined in

1.7 this subdivision have the meanings given.

1.8 (b) "Automated drug distribution system" means a mechanical system that:

1.9 (1) dispenses prescription drugs; and

1.10 (2) maintains related transaction information as described in subdivision 6.

1.11 (c) "Health care facility" means a health care facility licensed under chapter 144

1.12 or 144A.

1.13 Subd. 2. **Authorization.** (a) A pharmacy may provide pharmacy services through

1.14 an automated drug distribution system located in a health care facility that is not at the

1.15 same location as the pharmacy.

1.16 (b) Access to and dispensing from an automated drug distribution system shall be

1.17 limited to pharmacy and nonpharmacy personnel who are designated in writing by the

1.18 pharmacist in charge and are authorized to procure drugs from the system in accordance

1.19 with rules adopted by the board.

1.20 (c) Drugs may only be dispensed from an automated drug distribution system after

1.21 receipt of an original prescription drug order by a pharmacist.

1.22 (d) The pharmacist in charge shall be responsible for filling and loading the storage

1.23 containers and shall control all operations of the automated drug distribution system. The

1.24 loading and maintenance of the system may be performed by nonpharmacy personnel,

2.1   so long as the activity is viewed electronically by a pharmacist. The automated drug

2.2   distribution system may be filled with drugs stored in bulk at the health care facility. If

2.3   the system is filled with drugs stored at the health care facility, the health care facility

2.4   shall not be deemed a pharmacy, a wholesale drug distributor, or a drug manufacturer for

2.5   purposes of this chapter.

2.6   Subd. 3. **Supervision.** The automated drug distribution system is required to be

2.7   under continuous supervision of a pharmacist. To qualify as continuous supervision,

2.8   the pharmacist is not required to be physically present at the site of the automated drug

2.9   distribution system if the system is supervised by a pharmacist electronically.

2.10   Subd. 4. **Storage.** All drugs stored in relation to an automated drug distribution

2.11   system must be stored in compliance with this chapter and rules adopted by the board.

2.12   Subd. 5. **Security.** An automated drug distribution system must be secured or, if not

2.13   secure, kept in a locked medication room when not in actual use.

2.14   Subd. 6. **Records.** (a) At a minimum, an automated drug distribution system must

2.15   maintain records of:

2.16   (1) the identity of all personnel who access the system;

2.17   (2) the date and time of access;

2.18   (3) the name, strength, dosage form, and quantity of the drug removed, returned,

2.19   or wasted;

2.20   (4) the name of the patient for whom the drug was ordered; and

2.21   (5) any additional information the pharmacist in charge deems necessary.

2.22   (b) These records shall be reviewed for discrepancies on a periodic basis. The

2.23   pharmacist in charge is responsible for the quality, accuracy, and timeliness of the review

2.24   and must ensure that appropriate actions are taken to deal with any discrepancies found.

2.25   (c) The automated drug distribution system must provide for maintenance of patient

2.26   confidentiality so that unauthorized individuals do not have access to patient data.