

AN ACT

ENTITLED, An Act to provide for the regulation of telepharmacy and to establish a fee therefor.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That chapter 36-11 be amended by adding thereto a NEW SECTION to read as follows:

Terms as used in this Act mean:

- (1) "Central pharmacy," a pharmacy with one or more remote pharmacies in which all sites are connected via computer link, video link, and audio link. The central pharmacy may be retail or hospital-based;
- (2) "Remote pharmacy," a pharmacy staffed by a registered pharmacy technician with access to a central pharmacy with a registered pharmacist by computer link, video link, and audio link while open;
- (3) "Telepharmacy practice," the practice whereby a licensed pharmacist uses telecommunications technology to provide personalized, electronically documented, real-time pharmaceutical care to patients at a remote pharmacy, including prescription dispensing and counseling, and to oversee and supervise remote pharmacy operations.

Section 2. That chapter 36-11 be amended by adding thereto a NEW SECTION to read as follows:

The board shall promulgate rules pursuant to chapter 1-26 to provide for the regulation of telepharmacy in the state. The rules shall include:

- (1) License requirements, including establishment of an annual license fee not to exceed two hundred fifty dollars;
- (2) Minimum structural, security, and equipment requirements for the remote pharmacy;
- (3) Minimum staffing requirements for the central pharmacy and remote pharmacy;

- (4) Record keeping requirements for the central pharmacy and remote pharmacy;
- (5) Establishment of policies and procedures for the daily operation of the remote pharmacy;  
and
- (6) Use of automated dispensing machines.

An Act to provide for the regulation of telepharmacy and to establish a fee therefor.

I certify that the attached Act  
originated in the

HOUSE as Bill No. 1031

\_\_\_\_\_  
Chief Clerk

\_\_\_\_\_  
Speaker of the House

Attest:

\_\_\_\_\_  
Chief Clerk

\_\_\_\_\_  
President of the Senate

Attest:

\_\_\_\_\_  
Secretary of the Senate

House Bill No. 1031

File No. \_\_\_\_\_

Chapter No. \_\_\_\_\_

Received at this Executive Office  
this \_\_\_\_\_ day of \_\_\_\_\_ ,

20\_\_\_\_ at \_\_\_\_\_ M.

By \_\_\_\_\_  
for the Governor

The attached Act is hereby  
approved this \_\_\_\_\_ day of  
\_\_\_\_\_, A.D., 20\_\_\_\_

\_\_\_\_\_  
Governor

STATE OF SOUTH DAKOTA,  
SS.

Office of the Secretary of State

Filed \_\_\_\_\_, 20\_\_\_\_  
at \_\_\_\_\_ o'clock \_\_ M.

\_\_\_\_\_  
Secretary of State

By \_\_\_\_\_  
Asst. Secretary of State