

# State of South Dakota

EIGHTY-SECOND SESSION  
LEGISLATIVE ASSEMBLY, 2007

400N0241

## HOUSE BILL NO. 1031

Introduced by: The Committee on Health and Human Services at the request of the Board of  
Pharmacy

1 FOR AN ACT ENTITLED, An Act to provide for the regulation of telepharmacy and to  
2 establish a fee therefor.

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

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

6 Terms as used in this Act mean:

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



1           prescription dispensing and counseling, and to oversee and supervise remote  
2           pharmacy operations.

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

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

- 7           (1)   License requirements, including establishment of an annual license fee not to exceed  
8               two hundred fifty dollars;
- 9           (2)   Minimum structural, security, and equipment requirements for the remote pharmacy;
- 10          (3)   Minimum staffing requirements for the central pharmacy and remote pharmacy;
- 11          (4)   Record keeping requirements for the central pharmacy and remote pharmacy;
- 12          (5)   Establishment of policies and procedures for the daily operation of the remote  
13               pharmacy; and
- 14          (6)   Use of automated dispensing machines.