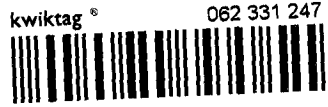


# ENROLLMENT(S)



(5)

COUNCIL OF THE DISTRICT OF COLUMBIA

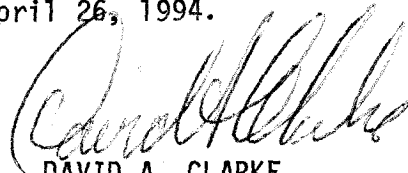
NOTICE

D.C. LAW 10-102

"Patient Counseling Amendment Act of 1994".

Pursuant to Section 412 of the District of Columbia Self-Government and Governmental Reorganization Act, P. L. 93-198 "the Act", the Council of the District of Columbia adopted Bill No. 10-376 on first and second readings, January 4, 1994, and February 1, 1994, respectively. Following the signature of the Mayor on February 17, 1994, this legislation was assigned Act No. 10-190, and published in the March 4, 1994, edition of the D.C. Register (Vol. 41 page 1002) and transmitted to Congress on February 25, 1994 for a 30-day review, in accordance with Section 602(c)(1) of the Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional Review Period has expired, and therefore, cites this enactment as D.C. Law 10-102, effective April 26, 1994.

  
DAVID A. CLARKE  
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

February 25,28

March 1,2,3,4,7,8,9,10,11,14,15,16,17,18,21,22,23,24

April 12,13,14,15,18,19,20,21,22,25

AN ACT

D.C. ACT 10-190

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

FEBRUARY 17, 1994

To amend the District of Columbia Health Occupations Revision Act of 1985 to establish patient counseling requirements for pharmacists providing prescription services to medical assistance recipients or their caregivers.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Patient Counseling Amendment Act of 1994".

Sec. 2. The District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Code § 2-3301.1 *et seq.*), is amended by adding a new section 1006a to read as follows:

New  
Section  
2-3310.6a

"Sec. 1006a. Pharmacist consultation with medical assistance recipient or caregivers; records.

"(a) A pharmacist who provides prescription services to medical assistance recipients shall offer to discuss with each medical assistance recipient or caregiver who presents a prescription order for outpatient drugs any matter which, in the exercise of the pharmacist's professional judgment, the pharmacist deems significant, which may include the following:

- "(1) The name and description of the medication;
- "(2) The dosage form, dosage, route of administration, and duration of drug therapy;
- "(3) Special directions, precautions for preparation, administration, and use by the patient;
- "(4) Common severe side or adverse effects or interactions and therapeutic contraindications that may be encountered, including their avoidance, and the action required if they occur;
- "(5) Techniques for self-monitoring drug therapy;
- "(6) Proper storage;
- "(7) Prescription refill information; and
- "(8) Action to be taken in the event of a missed dose.

"(b) The offer to discuss may be made in the manner determined by the professional judgment of the pharmacist, which may include any 1 or a combination of the following:

- "(1) A face-to-face communication with the pharmacist or the pharmacist's designee;
- "(2) A sign posted in such a manner that it can be seen by patients;

"(3) A notation affixed to or written on the bag in which the prescription is to be dispensed;

"(4) A notation contained on the prescription container;

"(5) Communication by telephone; or

"(6) Any other manner prescribed by rule.

"(c) Nothing in this section shall be construed as requiring a pharmacist to provide consultation if the medical assistance recipient or caregiver refuses the consultation. These refusals shall be noted in the profile maintained in accord with subsection (d) of this section for a medical assistance recipient.

"(d) A pharmacist shall make a reasonable effort to obtain, record, and maintain, at the individual pharmacy, the following minimal information regarding a medical assistance recipient receiving a prescription:

"(1) Name, address, telephone number, date of birth or age, and gender;

"(2) Individual patient history when significant, including known allergies and drug reactions, and a comprehensive list of medications and relevant devices; and

"(3) Pharmacist comments relevant to the individual's drug therapy, which may be recorded either manually or electronically in the patient's profile, including any failure to accept the pharmacist's offer to counsel.

"(e) This section shall apply only to medical assistance recipients presenting prescriptions for covered outpatient drugs.

"(f) The requirements of this section do not apply to refill prescriptions.

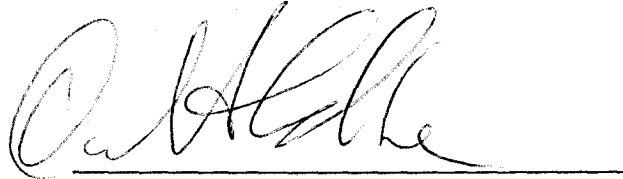
"(g) The Mayor may adopt regulations implementing the provisions of this section to assure compliance with federal medical assistance requirements."

Sec. 3. If any provision of this act or the application thereof to any health care provider is deemed improper and would therefore cause the denial of any portion of the federal share of payment for Medical Assistance expenditures by the United States Department of Health and Human Services, then that provision shall be declared invalid, but the invalidity shall not affect other provisions or any other application of this act which can be given effect without the invalid provision or application.

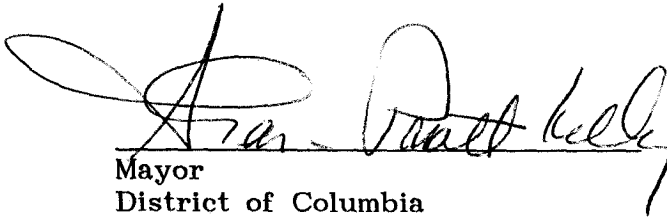
Note,  
New  
Section  
2-3310.6a

Sec. 4. This act shall take effect after a 30-day period of Congressional review following approval by the Mayor (or in the event of veto by the Mayor, action by the Council of the District of Columbia to override the veto) as provided in section 602(c)(1) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 813; D.C. Code § 1-233(c)(1)), and publication in either the District of Columbia Register, the District

of Columbia Statutes-at-Large, or the District of Columbia Municipal Regulations.



Chairman  
Council of the District of Columbia



Mayor  
District of Columbia

APPROVED : February 17, 1994



COUNCIL OF THE DISTRICT OF COLUMBIA

Council Period Ten

RECORD OF OFFICIAL COUNCIL VOTE

DOCKET NO: Bill 10-376

[X] Item on Consent Calendar

[X] ACTION & DATE: Adopted First Reading, 1-4-94

[X] VOICE VOTE: Approved

Recorded vote on request

Absent: Evans

[ ] ROLL CALL VOTE: - RESULT

Table with 16 columns: COUNCIL MEMBER, AYE, NAY, N.V., A.B. and 16 rows of member names and their voting status.

X - indicates Vote A.B. - Absent N.V. - Present, not voting

CERTIFICATION RECORD

Secretary to the Council

Date February 2, 1994

[X] Item on Consent Calendar

[X] ACTION & DATE: Adopted Final Reading, 2-1-94

[X] VOICE VOTE: Approved

Recorded vote on request

Absent: Barry, Lightfoot, Smith and Thomas

[ ] ROLL CALL VOTE: - RESULT

Table with 16 columns: COUNCIL MEMBER, AYE, NAY, N.V., A.B. and 16 rows of member names and their voting status.

X - indicates Vote A.B. - Absent N.V. - Present, not voting

CERTIFICATION RECORD

Secretary to the Council

Date February 2, 1994

[ ] Item on Consent Calendar

[ ] ACTION & DATE:

[ ] VOICE VOTE:

Recorded vote on request

Absent:

[ ] ROLL CALL VOTE: - RESULT

Table with 16 columns: COUNCIL MEMBER, AYE, NAY, N.V., A.B. and 16 rows of member names and their voting status.

X - indicates Vote A.B. - Absent N.V. - Present, not voting

CERTIFICATION RECORD

Secretary to the Council

Date