

HOUSE BILL No. 1372

DIGEST OF INTRODUCED BILL

Citations Affected: IC 16-42-23.5.

Synopsis: Dispensing ivermectin. Allows a physician or advanced practice registered nurse to create a standing order that allows a pharmacist to dispense ivermectin. Provides that a prescription dispensed under a standing order is considered to be issued for a legitimate medical purpose in the usual course of professional practice. Prohibits a: (1) physician or advanced practice registered nurse who issues; or (2) pharmacist or pharmacy that follows; a standing order from seeking or receiving certain personal financial benefits. Requires a pharmacist to provide each recipient of ivermectin under a standing order with a standardized information sheet that includes certain information. Prohibits the information sheet from containing information discouraging the recipient from using ivermectin for the treatment of COVID-19. Prohibits the medical licensing board of Indiana, Indiana state board of nursing, or the Indiana board of pharmacy from disciplining a physician, advanced practice registered nurse, or pharmacist for certain failures in following a standing order or a defect in the standing order.

Effective: July 1, 2022.

Nisly

January 11, 2022, read first time and referred to Committee on Public Health.



Second Regular Session of the 122nd General Assembly (2022)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2021 Regular Session of the General Assembly.

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A BILL FOR AN ACT to amend the Indiana Code concerning health.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 16-42-23.5 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2022]:
4 **Chapter 23.5. Drugs: Dispensing Ivermectin**
5 **Sec. 1. As used in this chapter, "standing order" means a**
6 **written and signed protocol that:**
7 **(1) is created by:**
8 **(A) one (1) or more physicians licensed under IC 25-22.5;**
9 **or**
10 **(B) one (1) or more advanced practice registered nurses**
11 **licensed under IC 25-23 and who meet the requirements**
12 **under IC 25-23-1-19.5;**
13 **(2) creates a protocol that allows a pharmacist licensed under**
14 **IC 25-26-13 to dispense ivermectin under the authority of the**
15 **physician or advanced practice registered nurse; and**
16 **(3) specifies a:**
17 **(A) mechanism to document the:**



- 1 (i) screening performed with the patient; and
2 (ii) prescription dose dispensed;
3 in the patient's medical record; and
4 (B) plan for evaluating and treating adverse events.

5 **Sec. 2. (a) A pharmacist who:**

- 6 (1) is licensed under IC 25-26-13; and
7 (2) follows a standing order;
8 may dispense ivermectin to an individual in Indiana without a
9 prior prescription.

10 (b) A prescription dispensed under a standing order is
11 considered to be issued for a legitimate medical purpose in the
12 usual course of professional practice.

13 **Sec. 3. A:**

- 14 (1) physician or advanced practice registered nurse who
15 issues; or
16 (2) pharmacist or pharmacy that follows;
17 a standing order may not seek or receive a personal financial
18 benefit by participating in any incentive based program or
19 accepting any inducement that influences or encourages
20 therapeutic or product changes or the ordering of tests or services.

21 **Sec. 4. A pharmacist shall provide each recipient of ivermectin**
22 **under a standing order with a standardized information sheet**
23 **written in plain language that includes the importance of follow-up**
24 **care and health care referral information. Nothing on the**
25 **information sheet may discourage the recipient from using**
26 **ivermectin for the treatment of COVID-19.**

27 **Sec. 5. (a) The medical licensing board of Indiana may not deny,**
28 **revoke, suspend, or take disciplinary action against a physician**
29 **based on a pharmacist's failure to follow a standing order if the**
30 **requirements of this chapter are satisfied.**

31 (b) The Indiana state board of nursing may not deny, revoke,
32 suspend, or take disciplinary action against an advanced practice
33 registered nurse based on a pharmacist's failure to follow a
34 standing order if the requirements of this chapter are satisfied.

35 (c) The Indiana board of pharmacy may not deny, revoke,
36 suspend, or take disciplinary action against a pharmacist who
37 follows a standing order based on a defect in the standing order if
38 the requirements of this chapter are satisfied.

