

ASSEMBLY BILL

No. 2348

**Introduced by Assembly Member Mitchell
(Principal coauthor: Assembly Member Chesbro)**

February 24, 2012

An act to amend Section 2725.1 of the Business and Professions Code, relating to healing arts.

LEGISLATIVE COUNSEL'S DIGEST

AB 2348, as introduced, Mitchell. Registered nurses: dispensation of drugs.

Existing law, the Nursing Practice Act, authorizes a registered nurse to dispense drugs or devices upon an order by a licensed physician and surgeon if the nurse is functioning within a specified clinic.

This bill would make a nonsubstantive change to these provisions.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 2725.1 of the Business and Professions
- 2 Code is amended to read:
- 3 2725.1. Notwithstanding any other provision of law, a
- 4 registered nurse may dispense drugs or devices upon an order by
- 5 a licensed physician and surgeon if the nurse is functioning within
- 6 a licensed *primary care* clinic as defined in paragraphs (1) and (2)
- 7 of subdivision (a) of Section 1204 of, or within a clinic as defined
- 8 in subdivision (b) or (c) of Section 1206, of the Health and Safety
- 9 Code.

1 No clinic shall employ a registered nurse to perform dispensing
2 duties exclusively. No registered nurse shall dispense drugs in a
3 pharmacy, keep a pharmacy, open shop, or drugstore for the
4 retailing of drugs or poisons. No registered nurse shall compound
5 drugs. Dispensing of drugs by a registered nurse, except a certified
6 nurse-midwife who functions pursuant to a standardized procedure
7 or protocol described in Section 2746.51 or a nurse practitioner
8 who functions pursuant to a standardized procedure described in
9 Section 2836.1, or protocol, shall not include substances included
10 in the California Uniform Controlled Substances Act (Division 10
11 (commencing with Section 11000) of the Health and Safety Code).
12 Nothing in this section shall exempt a clinic from the provisions
13 of Article 13 (commencing with Section 4180) of Chapter 9.

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