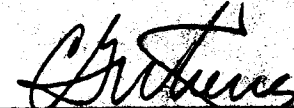


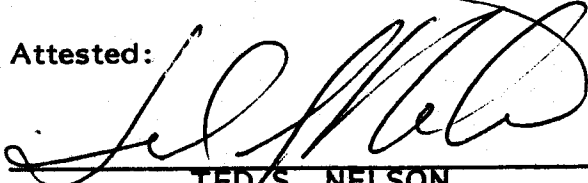
SEVENTEENTH GUAM LEGISLATURE  
1984 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Substitute Bill No. 471, " AN ACT TO ADD SUBSECTIONS (h), (i), (j), AND (k) TO SECTION 12600 OF ARTICLE 6 OF CHAPTER 12 OF TITLE 10 GCA; TO AMEND SECTION 12606(a), 12607, ARTICLE 6, CHAPTER 12, TITLE 10, GCA; TO REPEAL AND REENACT SECTION 12609, ARTICLE 6, CHAPTER 12, TITLE 10, GCA; TO AMEND SECTIONS 12613 AND 12614, ARTICLE 6, CHAPTER 12, TITLE 10, GCA; TO ADD A NEW SUBSECTION (c) TO SECTION 12615, ARTICLE 6, CHAPTER 12, TITLE 10, GCA; TO AMEND SECTIONS 12618(a) AND 12619, ARTICLE 6, CHAPTER 12, TITLE 10, GCA; TO ADD A NEW SECTION 12617.1 TO ARTICLE 6, CHAPTER 12, ARTICLE 10, GCA; AND TO AMEND SECTION 12604 OF ARTICLE 6, CHAPTER 12, TITLE 10, GCA, RELATIVE TO PHARMACISTS AND PHARMACY," was on the 1st day of December 1984, duly and regularly passed.

  
CARL T. C. GUTIERREZ  
Speaker

Attested:

  
TED S. NELSON  
Senator and Acting Legislative Secretary

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This Act was received by the Governor this 5<sup>th</sup> day of December 1984, at 3:45 o'clock p.m.

APPROVED:

  
RICARDO J. BORDALLO  
Governor of Guam

Date: December 17, 1984, 2:45 pm.

Public Law No. 17-80

  
Francis Quares Yalanan  
Assistant Staff Officer  
Governor's Office

SEVENTEENTH GUAM LEGISLATURE  
1983 (FIRST) Regular Session

Bill No. 471  
Substitute by the Committee  
on Health, Welfare & Ecology

Introduced by:

M. K. Hartsock

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AN ACT TO ADD SUBSECTIONS (h), (i), (j), AND (k) TO SECTION 12600 OF ARTICLE 6 OF CHAPTER 12 OF TITLE 10 GCA; TO AMEND SECTION 12606(a), 12607, ARTICLE 6, CHAPTER 12, TITLE 10, GCA; TO REPEAL AND REENACT SECTION 12609, ARTICLE 6, CHAPTER 12, TITLE 10, GCA; TO AMEND SECTIONS 12613 AND 12614, ARTICLE 6, CHAPTER 12, TITLE 10, GCA; TO ADD A NEW SUBSECTION (c) TO SECTION 12615, ARTICLE 6, CHAPTER 12, TITLE 10, GCA; TO AMEND SECTIONS 12618(a) AND 12619, ARTICLE 6, CHAPTER 12, TITLE 10, GCA; TO ADD A NEW SECTION 12617.1 TO ARTICLE 6, CHAPTER 12, ARTICLE 10, GCA; AND TO AMEND SECTION 12604 OF ARTICLE 6, CHAPTER 12, TITLE 10, GCA, RELATIVE TO PHARMACISTS AND PHARMACY.

1 BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF GUAM:

2 Section 1. New Subsections (h), (i), (j), and (k) are added to  
3 Section 12600 of Article 6 of Chapter 12 of Title 10 of the Guam Code  
4 Annotated (as enacted in P.L. 16-123, Section 24) to read as follows:

5 "Section 12600(h). 'Dangerous Drug' or 'Dangerous Device' means  
6 any drug or device unsafe for self medication and includes any drug  
7 or device which bears the legend: 'Caution: Federal law prohibits  
8 dispensing without a prescription'.

9 If the board finds after open hearing following due notice to  
10 persons who have filed written request to the board for such notice,  
11 that any drug or device is dangerous to the public health or safety,  
12 the Board may make other rules, not inconsistent with this  
13 subchapter, limiting or restricting the furnishing of such drug.

14 (i). 'Controlled Substance' means those drugs and drug products  
15 that come under the jurisdiction of the Federal Controlled Substances  
16 Act of 1970 (P.L. 91-513).

1 (j). 'Narcotic' means and includes any and all drugs or  
2 substances classified as such under the Federal Narcotic Act of 1914  
3 and any and all amendments to the Act.

4 (k). 'Intern Pharmacist' means a person registered with the  
5 board who shall meet the requirements established by the board, for  
6 the purpose of obtaining practical experience necessary for licensure  
7 pursuant to Section 27507."

8 Section 2. Section 12606(a) of Article 6 of Chapter 12 of Title 10 of  
9 the Guam Code Annotated (as enacted in P.L. 16-123, Section 24) is  
10 amended as follows:

11 "Section 12606(a). Power to inspect. (a) The Board or any duly  
12 authorized representative thereof may inspect drugs packed, packaged,  
13 compounded, sold, offered for sale, exposed for sale, or kept for sale  
14 or dispensing by practitioners in the territory and for this purpose it  
15 may, during reasonable hours, enter and inspect any pharmacy or  
16 premises in the territory where drugs are packed, packaged,  
17 compounded, sold, offered for sale, exposed for sale or kept for sale  
18 or dispensing by practitioners."

19 Section 3. Section 12607 of Article 6 of Chapter 12 of Title 10 of the  
20 Guam Code Annotated (as enacted in P.L. 16-123 Section 24) is amended as  
21 follows:

22 "Section 12607. Qualifications for license. Any applicant for a  
23 license as a pharmacist shall be at least eighteen (18) years of age, of  
24 good moral character and temperate habits, and a graduate of a school  
25 or college of pharmacy or department of a university which school or  
26 college or department is recognized and approved by the Board of  
27 Pharmacy. The applicant shall file proof satisfactory to the Board of  
28 Pharmacy of a minimum of one thousand five hundred (1500) hours  
29 practical experience in any state or territory or the United States in a  
30 pharmacy under the supervision of a registered pharmacist, and  
31 shall pass an examination given by the Board. Service and experience  
32 in a pharmacy under the supervision of a registered pharmacist as  
33 required in this Section shall be predominantly related to the selling of  
34 drugs, compounding prescriptions, preparing pharmaceutical

1           preparations, and keeping records and making reports required under  
2           territorial and federal statutes."

3           Section 4. Section 12609 of Article 6 of Chapter 12 of Title 10 of the  
4           Guam Code Annotated (as enacted in P.L. 16-123 Section 24) is repealed  
5           and reenacted to read:

6           "§12609. Notwithstanding Section 12608 of this Chapter, the  
7           Board shall register as a pharmacist any person registered in any  
8           state, territory, the District of Columbia, or possession of the United  
9           States, providing that the license or registration is not under  
10          suspension, in inactive status, or pending investigation. The issuance  
11          of a license under this Section shall be acted upon within thirty (30)  
12          days of application to the Board. The same fees shall apply to  
13          licenses granted under this section as to those licenses granted under  
14          Section 12607 of this Chapter."

15          Section 5. Sections 12613 of Article 6 of Chapter 12 of Title 10 of the  
16          Guam Code Annotated (as enacted in P.L. 16-123 Section 24) is amended to  
17          read as follows:

18          "Section 12613. Pharmacist in charge. A registered pharmacist  
19          shall be in personal and immediate charge of every pharmacy. During  
20          any absence of the registered pharmacist, prescriptions shall not be  
21          filled, compounded, or received by telephone and no drugs shall be  
22          sold; provided, that this shall not preclude the sale at such times of  
23          such things as might be sold were the pharmacy a store not subject to  
24          this Article. No person other than a registered pharmacist or  
25          pharmacy intern under the direct supervision of a registered  
26          pharmacist shall fill or compound prescriptions.

27          Section 6. Section 12614 of Article 6 of Chapter 12 of Title 10 of the  
28          Guam Code Annotated (as enacted in P.L. 16-123, Section 24) is amended to  
29          read as follows:

30          "§12614. Pharmacies. Any proprietor or manager of a pharmacy  
31          who fails or neglects to place a registered pharmacist in charge thereof  
32          or who permits the compounding of prescriptions, or the vending of  
33          dangerous drugs, except by a registered pharmacist or pharmacy  
34          intern or under the direct supervision of a registered pharmacist,

1 shall be deemed to have violated this Article. Any person who, not  
2 being a registered pharmacist, or pharmacy intern under the direct  
3 supervision of a registered pharmacist compounds prescriptions or  
4 vends dangerous drugs, shall be deemed to have violated this Article."

5 Section 7. A new Subsection (c) is added to Section 12615 of Article  
6 of Chapter 12 of Title 10 of the Guam Code Annotated (as enacted in P.L.  
7 16-123 Section 24) to read as follows:

8 "(c). Every registered pharmacist shall provide direct  
9 supervision of any pharmacy intern for which he or she is responsible  
10 and that supervision shall include but be not limited to a final check  
11 of any prescription filled or compounded by the intern before it is  
12 dispensed. The ratio of pharmacist to intern pharmacist shall not  
13 exceed 1:1 and the registered pharmacist must be in the Pharmacy to  
14 provide direct supervision."

15 Section 8. Section 12618(a) of Article 6 of Chapter 12 of Title 10 of  
16 the Guam Code Annotated (as enacted by P.L. 16-123 Section 24) is  
17 amended to read as follows:

18 "§12618. Licensing of pharmacists and pharmacies required. (a)  
19 Unless he or she is a pharmacist or an intern pharmacist or is  
20 exempted under this Article, no person shall sell at retail any  
21 dangerous drug or poison, compound any prescription or acquire and  
22 possess any drug without its being prescribed."

23 Section 9. Section 12619 of Article 6 of Chapter 12 of Title 10 of the  
24 Guam Code Annotated (as enacted by P.L. 16-123 Section 24) is amended to  
25 read as follows:

26 "§12619. Exemptions from Article. (a) This Article does not  
27 apply to licensed practitioners in this territory in supplying to their  
28 patients any drug if the licensed practitioner is practicing his or her  
29 profession and does not keep a pharmacy, advertised or otherwise, for  
30 the retail of dangerous drugs or poisons, and provided such person  
31 keeps accurate records of drugs furnished and such drugs may not be  
32 furnished by a nurse or attendant. These records shall be open to  
33 inspection by the pharmacy board upon reasonable notice."

1           Section 10. A new Section 12617.1 is added to Article 6 of Chapter 12  
2 of Title 10 of the Guam Code Annotated (as enacted by P.L. 16-123 Section  
3 24) to read as follows:

4           "§12617.1. Prescription Label Requirements. All dangerous  
5 drugs dispensed by a pharmacy pursuant to a prescription shall be  
6 properly labeled and contain the following information:

- 7           (1) The name, address and phone number of the dispensing  
8 pharmacy
- 9           (2) The number under which the prescription is filed in the  
10 pharmacy
- 11           (3) The prescribing physician's name
- 12           (4) The name of the person for whom the drug was prescribed
- 13           (5) The date filled
- 14           (6) The name (generic or proprietary) of the medication
- 15           (7) The directions for use
- 16           (8) The date of expiration of the effectiveness of the drug if  
17 this information is required on the original label of the  
18 manufacturer."