

AMENDED IN ASSEMBLY MARCH 29, 2012

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2348**

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

February 24, 2012

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

LEGISLATIVE COUNSEL'S DIGEST

AB 2348, as amended, 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,~~ in addition, authorize a registered nurse to dispense drugs or devices upon an order issued by a certified nurse-midwife, nurse practitioner, or physician assistant if the nurse is functioning within a specified clinic. The bill would also authorize a registered nurse to dispense hormonal contraceptives pursuant to specified standardized procedures, if the nurse is functioning within a specified clinic.*

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:

1 2725.1. (a) Notwithstanding any other provision of law, a  
2 registered nurse may dispense drugs or devices upon an order by  
3 a licensed physician and surgeon *or an order issued by a certified*  
4 *nurse-midwife, nurse practitioner, or physician assistant* if the  
5 nurse is functioning within a licensed primary care clinic as defined  
6 in ~~paragraphs (1) and (2)~~ of subdivision (a) of Section 1204 of, or  
7 within a clinic as defined in subdivision (b) or (c) of Section 1206;  
8 of, the Health and Safety Code.

9 (b) *Notwithstanding any other provision of law, a registered*  
10 *nurse may dispense hormonal contraceptives pursuant to*  
11 *standardized procedures developed in compliance with subdivision*  
12 *(c) of Section 2725 if the nurse is functioning within a licensed*  
13 *primary care clinic as defined in subdivision (a) of Section 1204*  
14 *of, or within a clinic as defined in subdivision (b), (c), or (h) of*  
15 *Section 1206 of, the Health and Safety Code.*

16 (c) No clinic shall employ a registered nurse to perform  
17 dispensing duties exclusively. No registered nurse shall dispense  
18 drugs in a pharmacy, keep a pharmacy, open shop, or drugstore  
19 for the retailing of drugs or poisons. No registered nurse shall  
20 compound drugs. Dispensing of drugs by a registered nurse, except  
21 a certified nurse-midwife who functions pursuant to a standardized  
22 procedure or protocol described in Section 2746.51 or a nurse  
23 practitioner who functions pursuant to a standardized procedure  
24 described in Section 2836.1, or protocol, shall not include  
25 substances included in the California Uniform Controlled  
26 Substances Act (Division 10 (commencing with Section 11000)  
27 of the Health and Safety Code). Nothing in this section shall  
28 exempt a clinic from the provisions of Article 13 (commencing  
29 with Section 4180) of Chapter 9.