

State of South Dakota

EIGHTY-FIRST SESSION
LEGISLATIVE ASSEMBLY, 2006

400M0239

HOUSE BILL NO. 1037

Introduced by: The Committee on Health and Human Services at the request of the
Department of Health

1 FOR AN ACT ENTITLED, An Act to revise certain provisions related to the prescription of
2 schedule II controlled drugs by physician assistants, certified nurse practitioners, and
3 certified nurse midwives.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

5 Section 1. That subdivision (3) of § 36-4A-22 be amended to read as follows:

6 (3) Make a tentative medical diagnosis and institute therapy or referral; prescribe
7 medications and provide drug samples or a limited supply of labeled medications,
8 including controlled drugs or substances listed on Schedule II in chapter 34-20B for
9 one period of not more than ~~forty-eight hours~~ thirty days, for symptoms and
10 temporary pain relief; treat common childhood diseases; to assist in the follow-up
11 treatment of geriatric and psychiatric disorders referred by the physicians.
12 Medications or sample drugs provided to patients shall be accompanied with written
13 administration instructions and appropriate documentation shall be entered in the
14 patient's medical record;

15 Section 2. That subdivision (2) of § 36-9A-12 be amended to read as follows:



1 (2) The prescription of medications and provision of drug samples or a limited supply
2 of labeled medications, including controlled drugs or substances listed on Schedule
3 II in chapter 34-20B for one period of not more than ~~forty-eight hours~~ thirty days, for
4 treatment of causative factors and symptoms. Medications or sample drugs provided
5 to patients shall be accompanied with written administration instructions and
6 appropriate documentation shall be entered in the patient's medical record;

7 Section 3. That subdivision (4) of § 36-9A-13 be amended to read as follows:

8 (4) Prescription of appropriate medications and provision of drug samples or a limited
9 supply of appropriate labeled medications for individuals under the nurse midwife's
10 care pursuant to the scope of practice defined in this section, including controlled
11 drugs or substances listed on Schedule II in chapter 34-20B for one period of not
12 more than ~~forty-eight hours~~ thirty days. Medications or sample drugs provided to
13 patients shall be accompanied with written administration instructions and
14 appropriate documentation shall be entered in the patient's medical record.