

The National Association of State Controlled Substances Authorities
State Regulatory Developments
APRIL 2009

KENTUCKY

Wholesale Distributors - Final rule of the Board of Pharmacy amends regulations regarding licensing and drug distribution requirements for wholesale distributors. The rule establishes requirements for licensing wholesale distributors, including pedigree requirements. The rule is effective Feb. 18, 2009. Contact: Michael Burleson; Board of Pharmacy; (859-246-2820)

IOWA

Standards/Electronic Prescriptions - Final rule of the Board of Pharmacy amends regulations regarding universal practice standards and electronic data. The rule requires that any prescription transmitted via facsimile to a pharmacy and any electronic record maintained by a pharmacy be clear, legible records or images of the original prescription or record. The rule is effective April 15, 2009. Contact: Terry Witkowski; Board of Pharmacy; (515-281-5944)

LOUISIANA

Wholesale Drug Distributors - Proposed rule of the Department of Health and Hospitals, Board of Wholesale Drug Distributors, would amend regulations to revise fees and requirements for wholesale distribution of legend drugs or devices in the state. A hearing is scheduled for May 26, 2009, in Baton Rouge. Comments are due May 19, 2009. Contact: John Liggio; DHH, Board of Wholesale Drug Distributors; (225-295-8567)

MISSISSIPPI

Physicians - Final rule of the Board of Medical Licensure amends regulations to remove the statement that physicians must never delegate to nonphysician personnel the responsibility to determine the type, dosage form, frequency of application, and number of refills on any controlled substances prescribed to a patient. The rule is effective April 12, 2009. Contact: Rhonda Freeman; BML; (601-987-0023)

SOUTH CAROLINA

Central Fill Pharmacies - Proposed rule of the Department of Labor, Licensing, and Regulation, Board of Pharmacy, would adopt a new Regulation to clarify requirements and define "central fill pharmacies." If requested, a hearing will be held June 2, 2009, in Columbia. Comments are due May 25, 2009. Contact: Lee Ann Bundrick; DLLR, Board of Pharmacy; (803-896-4707)

TENNESSEE

Telepharmacy - Final rule of the Department of Commerce and Insurance, Board of Pharmacy, adopts regulations regarding the implementation of a pilot program for the dispensing of prescription medications from federally qualified health centers through the use of telepharmacy. The rule defines terms and sets forth requirements concerning licensing and renewal, fees, civil penalties, pharmacist and pharmacy technician responsibilities, and recordkeeping and inspections. The rule is effective May 10, 2009. Contact: Kevin Eidson; DCI, Board of Pharmacy; (615-741-2718).

TEXAS

Pharmacy Licenses - Proposed rule of the State Board of Pharmacy would amend regulations concerning pharmacy license application and required notifications. The proposal would specify that pharmacies are required to notify patients when changing locations and require pharmacies to report the loss of controlled substances and dangerous drugs due to forged prescriptions. The proposal also would delete the option of providing a notarized statement to certify the existence of a lease as part of the application for a pharmacy license. Comments are due May 1, 2009. Contact: Allison Benz; SBP; (512-305-8028)

Community Pharmacies - Proposed rule of the State Board of Pharmacy would amend regulations under 22 TAC 291.33 and .34 regarding operational standards in community pharmacies. The proposal would allow for the secure storage, management, and delivery of prescription medications during and

after pharmacy hours from an automated storage and distribution device. The proposal also would specify that an original prescription may only be dispensed if the prescription is authorized by the prescriber. Comments are due May 1, 2009. Contact: Allison Benz; SBP; (512-305-8028)

UTAH

Controlled Substances Database -

Proposed rule of the Department of Commerce, Division of Occupational and Professional Licensing, would amend regulations under R156-37-609a to establish data reporting requirements for the Controlled Substance Database Real Time pilot program. The proposal also would provide additional modes of electronic data transfer, including e-mail, compact discs, secured Internet transfer, or file transfer protocol site transfer. A hearing is scheduled for March 24, 2009, in Salt Lake City. Comments are due April 14, 2009. Contact: Laura Poe; DOC, Division of Occupational and Professional Licensing; (801-530-6789)

VIRGINIA

Dispensing and Administration of Drugs/Automated Devices -

Notice of the Department of Health Professions, Board of Pharmacy, announces the receipt of a petition to amend regulations regarding the practice of pharmacy. The petition requests that the board revise provisions pertaining to automated devices for dispensing and administration of drugs to use the activity reports rather than having a nurse or other licensed person sign for the delivery. Comments are due May 13, 2009. Contact: Elizabeth Russell; DHP, Board of Pharmacy; (804-662-9911)

Prescription Monitoring Program - Final rule of the Department of Health Professions amends regulations regarding the Prescription Monitoring Program. The rule updates provisions concerning the disclosures by prescribers that they may query the program to establish a treatment history and requests for information from health care professionals designated by prescribers. The rule also addresses the removal of the requirement for dispensers to hold a license as a nonresident pharmacy to allow interoperability among state monitoring programs. The rule is effective May 13, 2009. Contact: Ralph Orr; DHP; (804-367-4523)

WASHINGTON

Pharmaceuticals - Final rule of the Department of Health, Board of Pharmacy, amends regulations regarding physical standards for pharmacies. The rule clarifies standards to ensure that pharmacies have access to current copies of state laws and rules governing the practice of pharmacy, including electronic or on-line versions. The rule is effective April 30, 2009. Contact: Doreen Beebe; DOH, Board of Pharmacy; (360-236-4834)

-- Washington State Register (04/15/2009)