

PHARMACY BOARD[657]

Notice of Intended Action

Proposing rule making related to review of correctional pharmacy practice rules and providing an opportunity for public comment

The Board of Pharmacy hereby proposes to amend Chapter 15, “Correctional Pharmacy Practice,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is proposed under the authority provided in Iowa Code sections 124.301 and 147.76.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code sections 124.303, 124.306, 124.308, 126.10, 126.11, 155A.6A, 155A.6B, 155A.10, 155A.13, 155A.27, 155A.28, 155A.31 to 155A.36 and 155A.41.

Purpose and Summary

Pursuant to Iowa Code section 17.7(2), the Board has completed a review of this chapter of administrative rules. The proposed amendments update the required references to be maintained in a reference library in order to be consistent with recent Board action for other practice settings, remove the requirement that the policies and procedures identify the hours of operation of the pharmacy, clarify the record retention requirements for training documentation, and add the option of an electronic signature on prescription drug orders.

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Board for a waiver of the discretionary provisions, if any, pursuant to 657—Chapter 34.

Public Comment

Any interested person may submit written comments concerning this proposed rule making. Written comments in response to this rule making must be received by the Board no later than 4:30 p.m. on July 10, 2018. Comments should be directed to:

Sue Mears
Board of Pharmacy
400 S.W. 8th Street, Suite E
Des Moines, Iowa 50309
Email: sue.mears@iowa.gov

Public Hearing

No public hearing is scheduled at this time. As provided in Iowa Code section 17A.4(1)“b,” an oral presentation regarding this rule making may be demanded by 25 interested persons, a governmental subdivision, the Administrative Rules Review Committee, an agency, or an association having 25 or more members.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee’s meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rule-making actions are proposed:

ITEM 1. Amend rule 657—15.4(155A) as follows:

657—15.4(155A) Reference library. ~~References may be printed or computer accessed.~~ Each correctional pharmacy shall ~~have on site, at a minimum, one current~~ maintain a reference ~~from each of the following categories, including access to current periodic updates~~ library, which is either printed or computer-accessed and which adequately meets the needs of the services provided and patients served. Examples of references include:

1. A reference including all pertinent Iowa laws, rules, and regulations that impact the pharmacy’s practice.
2. A patient information reference that includes or provides patient information in compliance with rule 657—6.14(155A).
3. A reference on drug interactions.
4. A ~~general~~ drug information reference.
5. A drug equivalency reference.
6. A reference on natural or herbal medicines.
7. The readily accessible telephone number of a poison control center that serves the area.
8. ~~Additional references as may be necessary for the pharmacist to adequately meet the needs of the patients served~~ Additional references relating to specific patient populations served.

ITEM 2. Amend subrule 15.5(3) as follows:

15.5(3) Pharmacist responsibility. Each pharmacist, while on duty, shall be responsible for the security of the correctional pharmacy. This responsibility includes provisions for effective control against theft of, diversion of, or unauthorized access to prescription drugs or devices, controlled substances, records for such drugs and devices, and patient records as provided in 657—Chapter 21 and rule 657—8.16(124,155A). ~~Policies and procedures shall identify the days and hours the pharmacy shall be open.~~ A pharmacist shall be on site during all times that the pharmacy is open.

ITEM 3. Amend rule 657—15.7(124,126,155A) as follows:

657—15.7(124,126,155A) Training and utilization of pharmacy technicians or pharmacy support persons. Pharmacy technician and pharmacy support person training shall be documented and maintained by the pharmacy for ~~the duration of~~ at least two years from the last date of employment. Policies and procedures and documentation of pharmacy technician and pharmacy support person training shall be available for inspection by the board or an agent of the board.

ITEM 4. Amend subrule 15.8(1) as follows:

15.8(1) Required information. Prescription drug orders written in patient health records shall include the following information:

- a. Patient name, identification number, and correctional facility location;

- b.* Drug name, strength, dosage form, and quantity or duration;
- c.* Directions for use of the drug;
- d.* Date the prescription drug order is authorized;
- e.* Prescriber's name, signature or electronic signature, and office address;
- f.* Prescriber's DEA number for controlled substances.