

PHARMACY BOARD [657]

Adopted and Filed

The Board of Pharmacy hereby amends Chapter 8, “Universal Practice Standards,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is adopted under the authority provided in Iowa Code section 155A.13.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code section 155A.13.

Purpose and Summary

The amendment provides for the identification of an interim pharmacist in charge in situations when the permanent pharmacist in charge is not vacating the position but is out of the pharmacy on an extended leave of absence (e.g., medical or parental leave). The pharmacy would be able to notify the Board, on forms provided by the Board, of the interim pharmacist in charge. However, neither a pharmacy license application nor a permanent change of the pharmacy license would be required.

Public Comment and Changes to Rule Making

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on August 11, 2021, as **ARC 5835C**.

The Board received two written comment which were both supportive the rule making but both recommended extending the number of days which an interim PIC could serve in the role to at least 120 days citing extended maternity leave programs. The board agreed with the suggestions and edited the rule making to extend the interim PIC period to 120 days.

Adoption of Rule Making

This rule making was adopted by the Board on _____, 2021.

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.

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).

Effective Date

This rule making will become effective on _____, 2021.

The following rule-making action is adopted:

Adopt the following **new** subparagraph **8.35(6)“d”(4)**:

(4) If a permanent pharmacist in charge is out of the pharmacy for an extended leave of absence of no more than 120 days, the pharmacy may identify an interim pharmacist in charge and provide notice of such to the board on forms provided by the board. Identification of an interim pharmacist in charge shall not require submission of a new pharmacy license application and shall not result in a permanent change in pharmacist in charge on the pharmacy license. If a permanent pharmacist in charge is out of the pharmacy for an extended leave of absence greater than 120 days, the pharmacy shall initiate a change of pharmacist in charge in accordance with this rule.