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Arkansas State Board of Pharmacy

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Regulation Changes

On September 22, 2001, the following regulation changes went into effect:

07-07-0001 – Standards for Compounding and Dispensing Sterile Products

The purpose of this regulation is to provide standards in the conduct, practices, and operations of a pharmacy preparing and dispensing products requiring sterility, such as injectables, ophthalmics, and inhalants.

This regulation covers guidelines for preparation of both low-risk sterile products and high-risk sterile products. The regulation also addresses pharmacist and pharmacy technician requirements.

Special attention should be paid to Number IV, "Work Area and Equipment," since, in some cases, construction may be required to be in compliance with this regulation. As noted in the regulation, any construction required must be completed by January, 2004.

04-05-0001 2.0 – Licensed Pharmacist Personnel Requirements

The change to this regulation is in the requirement for a hospital licensed by the Arkansas Department of Health for more than 50 beds to have a pharmacist on duty 40 hours per week, with such additional pharmacists as are necessary to provide safe and efficient operation. A request for exemption from this requirement may be made to the Arkansas State Board of Pharmacy by hospitals that are providing specialized or unique patient care services.

A change for hospitals licensed for 50 beds or fewer is a requirement to have a pharmacist on site at least five days per week to perform and review pharmacy dispensing, drug utilization, and drug distribution activities. There are no specified hours-per-day stated in the regulation; however, it requires such hours as necessary to perform the required duties as determined by the Arkansas State Board of Pharmacy and the Arkansas State Board of Health.

02-06-0003 – Implementation of Pharmacy Continuing Education

Beginning with the year 2002, the licensure will be for a two-year period. The continuing education requirement will be 30 hours each biennium, and 12 hours must be live contact hours relating to drug therapy or patient care. A com-

plete review of this regulation and all regulations can be seen on the Arkansas State Board of Pharmacy Web site.

03-00-0007 – Pharmacist to Pharmacy Technician Ratio

The change in this regulation is to increase the ratio of technicians to pharmacist to two technicians to one pharmacist on duty. This applies to both retail and hospital settings.

09-01 – Disease State Management

Changes in this regulation occur in 09-01-0002 "Qualifications, Resources, and Recordkeeping Required for Practicing in a Disease State Management Area in Arkansas." The change in this regulation is under A.4, which reads, "Complete requirements for the credential as established by a Board of Pharmacy-approved credentialing organization."

Tablet Splitting

The issue of tablet splitting was addressed at the National Association of Boards of Pharmacy's (NABP) 97th Annual Meeting in Seattle, Wash. Delegates from NABP member boards of pharmacy approved Resolution No 97-4-01, which opposes insurance companies' and pharmacy benefit managers' requirement that tablets be split. This resolution may be viewed at NABP's Web site at www.nabp.net.

Renewal Time is Here Again

It will soon be time to renew all licenses and/or permits. Please take note of the following details:

- Applications for renewal of all permits and/or licenses will be sent December 1, 2001. If you (or your technicians) have not received your renewal notices by December 10, you should call the Board office and ask for another application.
- There will be no other notices sent.
- There is a \$20 penalty on all renewals received on or after February 1, 2002.
- There is a \$40 penalty on all renewals received on or after March 1.
- Any license and/or permit not renewed on April 1 will be voided. If a facility remains open, or a pharmacist or technician continues to practice after that date, you will be called in on charges.
- **It is the pharmacist's responsibility to make sure his or her technicians renew their technician permits.**

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- If the application is not complete, signed, or if it is sent in with the wrong amount of money, it will be returned to you. This will severely delay the renewal process.
- Remember the Internet is available for the renewal of pharmacist licenses, pharmacy technician permits, retail pharmacy permits, and hospital pharmacy permits on our Web site at www.state.ar.us/asbp.
- **Do not** call the Board office to make sure we received your application. Send your renewal by certified mail if you need assurance that the application was received.
- And remember, the quicker you return your renewal, the quicker you will get your new license!

Thanks for all your help in making this renewal season a successful one!

A Message from the Arkansas Department of Health

Jerry Jones, PD, director of pharmacy services and drug control, a division of the Arkansas Department of Health, asked the Board of Pharmacy to remind pharmacists to make sure their pharmacy records are correct.

Dr Jones reported that in the course of the department's investigations, investigators found many discrepancies in pharmacy records wherein the pharmacists have assigned the wrong practitioner to controlled substance prescriptions. Investigative reports are based on the premise that records received from practitioners are accurate and correct. When a practitioner is entered into an electronic data processing system, in error, as the practitioner of record, the records received document erroneous prescribing by that practitioner. When confronted with this erroneous information obtained from pharmacy records, the practitioner has no knowledge or records of the patients or prescriptions.

Pharmacy Services reported having observed documentation from pharmacy records wherein practitioners were writing prescriptions outside the scope of their practice. Investigation revealed pharmacists' error in assigning wrong practitioners to these prescriptions.

The investigators are asking the pharmacists to be more diligent in the process of entering prescription information

into their data processing system and, more specifically, in assigning the correct practitioner to each prescription that is dispensed.

Return of Prescription Drugs

The Board of Pharmacy received several inquiries regarding returns of prescription drugs. Regulation 04-00-0003 states: "The reuse of returned portions of prescription drugs for human consumption is prohibited whether dispensed by order of a prescription or otherwise." Consequently, there is currently no provision to allow the return of prescription drugs from nursing homes for reuse.

Midrin and Generics Reclassified as Controlled Substances

Prescription drug products that contain dichloralphenazone have officially been classified as Schedule IV controlled substances by the Drug Enforcement Administration (DEA), effective August 16, 2001. This Schedule IV classification includes the widely used brand name product Midrin and all generics thereof.

Pharmacies are required to inventory these products on the effective date of scheduling or as soon as possible thereafter. This inventory should be attached to the biennial DEA inventory and maintained in the pharmacy.

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