

FAQs for revised Division 19

1. When do out of state pharmacists need to be licensed by the Oregon Board of Pharmacy?

OAR 855-019-0100

Beginning April 1st 2009, any pharmacist in a state outside of Oregon that engages in the practice of pharmacy for patient specific activities such as MTM, MRR, collaborative therapy, therapeutic interchanges must be licensed by the OBOP.

2. What circumstances only require the PIC to be licensed in the state of Oregon?

Out of state pharmacies that only mail prescriptions directly to patients are only required to have the PIC (or similar position) licensed with Oregon and does not require other employee pharmacists to be licensed.

3. When can I retake the NAPLEX or MPJE if I fail to get a score of 75 or greater?

OAR 855-019-0120

You must wait at least 91 days to retake the NAPLEX and at least 30 days to retake the MPJE.

4. How do I transfer my NAPLEX score?

OAR 855-019-0140

You must request a score transfer from the NABP (National Association of Boards of Pharmacy) **BEFORE** taking the exam, be a graduate of a school/college of pharmacy approved by the board of pharmacy, and provide documentation (Oregon score transfer application, passport photograph, copy of birth certificate, and evidence of pharmacy school graduation).

5. What are the requirements of a pharmacist if he wishes to reciprocate to Oregon?

OAR 855-019-0130

You must have an active license in good standing with the state you wish to reciprocate from, have passed the NAPLEX (score 75 or greater) and have a pharmacy degree from a school or college approved by the Board. You are required to have worked for a period of at least one year (with a minimum of 2000 hours) in the state of current licensure or met the internship requirements of Oregon within a year of application. You are also required to pass the MPJE with a score of 75 or greater. A pharmacist with their first professional degree outside of the United States is ineligible for reciprocity and must follow the requirements set forth in OAR 855-019-0150.

6. Can a licensed pharmacist in another state practice as an intern in Oregon?

OAR 855-019-0130 and 855-019-0150

No, unless the pharmacist is requesting to reciprocate to Oregon and requires additional work experience hours. Even then, they still must apply for and receive an Oregon intern license from the Board before working as an intern in Oregon. More work experience is required if they haven't worked for at least 1 year (with a minimum of 2000 hrs) or completed the required internship hours (completed 2000 hrs within 1 year prior to application). Note: hours completed outside of the United States can not be used toward the required 2000 hrs.

7. What can an out of state licensed pharmacist do in Oregon while awaiting reciprocity approval?

The Pharmacist is able to perform the duties of a clerk and if they obtain a technician license they may perform the duties of a technician, but they **MUST** obtain a technician license through the Board. They may not perform any activities reserved for a licensed pharmacist (Counsel, DUR, MTM, verification, etc...).

8. When I reinstate my license do I need to pay the licensing fees for all of the years I was not licensed?

OAR 855-019-0170

You must pay the licensing and late fees for all the years the license has been lapsed and have all CE requirements met for the lapsed years. If the time lapsed is greater than 1 year, you must also take and pass the MPJE. However, if you are a retired pharmacist that was licensed for at least 20 years (or if you had your license revoked by the Board) you are only required to pay for the current annual licensing fee, pass the MPJE, and have CE for all years since retirement.

9. Can an intern perform a DUR?

OAR 855-019-0200

Yes, if the intern feels comfortable with their knowledge base and has the pharmacists' permission (the pharmacist and intern are responsible for the actions of the intern). Pharmacists and interns are the only employees that may perform/pass/enter through a computer DUR. A technician may not clear or pass any halt due to a DUR, even if the next screen provides the DUR information in detail.

10. What are the procedures that only a pharmacist is allowed to do?

OAR 855-019-0200, 855-019-0250

Only a pharmacist can verify prescriptions, review laboratory tests (monitor, interpret, and/or order these tests), perform distinct pharmacist services (such as CDTM, DRR, or MTM), or execute other tasks that require professional pharmacist judgment.

[Note: counseling, immunizations, DUR, and receiving oral prescriptions can all be done by an intern as well as a pharmacist]

11. Who is responsible for pharmacy security?

OAR 855-019-0200

The PIC and the pharmacists on duty are responsible for adequate protection against theft and diversion. They are also responsible for supervising all pharmacy personnel (ensuring that they are working within their scope of practice) and making sure the pharmacy is compliant with all state and federal laws (only a pharmacist can have a key/access to the pharmacy when closed). If a violation does occur or drugs are missing the Board must be notified within 15 days.

12. Do I need to notify the Board of Pharmacy if I get arrested?

OAR 855-019-0200

Yes. A pharmacist must notify the Board in writing within 15 days for any arrest or citation (excluding a minor traffic offense). Any citation involving drugs or alcohol (a DUII arrest must be reported) needs to be reported to the Board, no exceptions.

13. Can I fill a prescription for a controlled substance if it was received electronically?

OAR 885-019-0210

No. Based on current federal regulations you must have the practitioner manually sign (received as a fax or paper hard copy) a prescription for controlled substances. For CIII-V the pharmacist may call the practitioner for verification and transcribe the prescription (treated as if it were phoned in) or request the prescription to be faxed. If a C-II is an emergency prescription it must be treated in a similar fashion (call practitioner and treat as a phoned prescription) or, if it's allowed by federal regulations, it may be faxed. [Note: this rule excludes state controlled substances like pseudoephedrine, ephedrine, phenylpropanolamine, and carisoprodol]

14. Do I need to perform a DUR for prescription refills?

OAR 855-019-0220

Yes. A pharmacist or intern must perform a DUR prior to dispensing or preparing all prescriptions and orders.

15. Do I need to document my counseling interactions?

OAR 855-019-0230

Yes, effective July 1st, 2008. A pharmacist or an intern must personally document that counseling was accepted or declined after the interaction. A patient electronic signature for insurance purposes is not sufficient. A decline to be counseled on a prescription that is new or changed must be directly to a pharmacist or intern. Under no circumstances may a customer's refusal be accepted by a clerk or technician. For hospital discharge prescriptions, the pharmacist must ensure the patient receives adequate counseling.

16. Is my pharmacy required to have a separate counseling area?

OAR 855-019-0230

Not necessarily, but it is the responsibility of the pharmacist or intern to provide a counseling environment that is confidential and maintains patient confidentiality.

17. Can I write a prescription based on CDTM?

OAR 855-019-0260

Yes, a pharmacist can transcribe a prescription based on CDTM between identified pharmacist/s (practitioner authorized) and practitioner/s, with filed documentation of the pharmacist's activities and decisions/plan. The CDTM must be specific enough that any pharmacist would develop the same prescription; this should be accomplished by following the requirements laid out in OAR 855-019-0260.

18. Can an intern provide immunizations?

OAR 855-019-0200, 855-019-0270

Yes, if the intern is trained to do so (immunization qualified and current CPR certification) and comfortable providing the service. The pharmacist supervising must also be immunization qualified through training accredited by the CDC, ACPE or similar health authority approved by the Board and have current CPR certification.

19. Can I administer immunizations to children?

OAR 855-019-0270

You can administer vaccines to patients that are age 18 or older, unless it's the influenza vaccine that can be administered to patients age 15 or older.

20. Are there any other requirements to administer immunizations besides being immunization and CPR certified?

OAR 855-019-0280

There are protocols that must be followed in order to administer immunizations. A list of these requirements is found in OAR 855-019-0280 and should be studied and implemented before administering vaccines.

21. Are there any specific requirements to be a PIC?

OAR 855-019-0300

You must have at least 1 year experience as a pharmacist or complete the PIC training course approved by the Board within 30 days of becoming a PIC. You must also notify the Board within 15 days of becoming a PIC or resigning as the PIC. You can not be a PIC of more than 2 pharmacies, unless there is written approval from the board.

22. As the PIC what am I responsible for?

OAR 855-019-0300

The PIC is responsible for the full operation of the pharmacy. Some specific requirements are listed that the PIC must personally complete, while other requirements the PIC is responsible for may be delegated to qualified employees. A list of these requirements can be seen in OAR 855-019-0300.

23. Is it required to maintain a perpetual inventory of controlled substances?

OAR 855-019-0300

It depends. It is required for C-II medications in hospital pharmacies (with a monthly inventory reconciliation), but a quarterly inventory reconciliation of all C-II's must be done in retail pharmacies.

Note: The annual controlled substances inventory is still required. It must be taken on one day before opening or after closing and occur no later than every 365 days.

24. What are some reasons that would cause the Board of pharmacy to suspend a license?

OAR 855-019-0310

The Board can revoke, suspend, or restrict a pharmacist, intern, or technician license for various reasons, such as; unprofessional conduct, violating a pharmacy or drug law, a felony, engaging in fraud, inability to perform your job, or being negligent. A partial list of reasons can be seen in OAR 855-019-0310.

25. If my license is revoked, suspended or restricted by the Board can I ever get it reinstated?

OAR 855-019-0320

Potentially, but the Board must find that the public interest will be protected if you are reinstated. You must prove this by giving various documentation and presentations showing how the current situation has changed since revocation. A complete list of requirements is listed in OAR 855-019-0320. It is important to note that for every case, even if all Board recommendations were satisfied, the Board must determine that the petitioner is not a threat to public interests if a license is reinstated.

26. Can I fill an internet prescription?

No. Oregon pharmacists are only able to fill valid prescriptions developed from a legitimate patient-practitioner relationship. Online questionnaires are NOT considered a valid and adequate patient-practitioner relationship.