

Secretary of State
Certificate and Order for Filing
PERMANENT ADMINISTRATIVE RULES

FILED
12-23-15 2:28 PM
ARCHIVES DIVISION
SECRETARY OF STATE

I certify that the attached copies are true, full and correct copies of the PERMANENT Rule(s) adopted on 12/17/2015 by the
Board of Pharmacy 855

Agency and Division Administrative Rules Chapter Number

Karen MacLean (971) 673-0001

Rules Coordinator Telephone

800 NE Oregon St., # 150, Portland, OR 97232

Address

To become effective Upon filing. Rulemaking Notice was published in the November 2015 Oregon Bulletin.

RULE CAPTION

Amend, adopt, or repeal rules in Divisions 006, 019, 025, 043, 062 and 090.

Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

RULEMAKING ACTION

Secure approval of new rule numbers with the Administrative Rules Unit prior to filing.

ADOPT:

855-019-0264

AMEND:

855-006-0005, 855-019-0110, 855-019-0200, 855-019-0270, 855-019-0280, 855-025-0015, 855-043-0130, 855-062-0040

REPEAL:

855-090-0005, 855-025-0015(T), 855-043-0130(T), 855-062-0040(T)

RENUMBER:

AMEND AND RENUMBER:

Statutory Authority:

ORS 689.205, 433.441, 433.443, 2015 OL Ch. 295, 689.605, ORS 468

Other Authority:

Statutes Implemented:

ORS 689.005, 689.025, 689.151, 689.155, 689.305, 689.405, 689.455, 689.645, 689.505, 2015 OL Ch. 362, 2015 OL Ch. 295, 676.350

RULE SUMMARY

The Division 006 Definition rules establish definitions for clinical pharmacy agreements and the practice of clinical pharmacy. Amendments also clarify compounding under a shared pharmacy service agreement is only allowed by a pharmacy located in Oregon for a practitioner or dispenser located in Oregon for outlets and practitioners located in Oregon. These amendments are primarily related to Oregon 2015 House Bill 2028.

The Division 019 Pharmacist rules establish definitions for clinical pharmacy agreements and practice of clinical pharmacy. Amendments also define the type of activities that require the professional judgment of a pharmacist. Other amendments allow a pharmacist to authorize an intern to perform the duties of a pharmacist under their direction and supervision, after the intern successfully completes his or her first academic year and only after successful completion of coursework corresponding to the specific duties. An intern may not perform final verification. State Drug Therapy Management Protocol rules are proposed for adoption. Rules are related to Oregon 2015 House Bill 2028.

Amendments in the Division 019 Pharmacist rules allow a pharmacist to administer vaccines to persons who are at least seven years of age. Amendments also allow a pharmacist to prescribe immunizations, including oral vaccines, as established by written protocols approved by the Oregon Health Authority. These amendments are related to 2015 Senate Bill 520.

Amendments in the Division 025 Certified Oregon Pharmacy Technician rules clarify in rule that newly licensed Certified Oregon Pharmacy Technicians do not need to complete the annual continuing education requirements prior to their first renewal. This Certificate and Order for

Filing makes the current temporary rule permanent.

Amendments in the Division 043 Practitioner Dispensing Rules establish a waiver clause in the Drug Delivery and Control rules. The waiver clause allows for requests for exemption of certain requirements if the waived requirements will further public health and safety. This Certificate and Order for Filing makes the current temporary rule permanent.

Amendments in the Division 062 Drug Distribution Agent rules update record keeping requirements. They also identify the information that a Drug Distribution Agent who distributes product to a Wholesaler or Pharmacy must contain in their records. Amendments also reflect that a pedigree must be maintained if a Drug Distribution Agent distributes product to another Drug Distribution Agent. This Certificate and Order for Filing makes the current temporary rule permanent.

Division 090 Aerosol Sprays rules are repealed. This is because all fluorocarbon aerosol sprays which contain a medication are no longer manufactured in the United States. The rules were established in 1977 as an exception to the banned use of fluorocarbon aerosol sprays which delivered medication.

Copies of the adopted rules can be found on the Board's website at www.pharmacy.state.or.us on the Laws and Rules page.

Karen MacLean

Karen.S.MacLean@state.or.us

Rules Coordinator Name

Email Address