



PERMANENT ADMINISTRATIVE ORDER

BP 31-2021
CHAPTER 855
BOARD OF PHARMACY

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12/10/2021 11:55 AM
ARCHIVES DIVISION
SECRETARY OF STATE
& LEGISLATIVE COUNSEL

FILING CAPTION: Compendia and prescribing practices updated incorporating recent Public Health and Pharmacy Formulary Advisory Committee recommendations

EFFECTIVE DATE: 12/10/2021

AGENCY APPROVED DATE: 12/09/2021

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RULES:

855-020-0110, 855-020-0300

AMEND: 855-020-0110

NOTICE FILED DATE: 10/25/2021

RULE SUMMARY: Clarifies that face-to-face requirement only applies to physical assessment components of patient care process (collect, assess, plan, implement, and follow-up).

CHANGES TO RULE:

855-020-0110

Prescribing Practices

- (1) A pharmacist located and licensed in Oregon may prescribe and dispense FDA-approved drugs and devices included on either the Formulary or Protocol Compendia, set forth in this Division. A pharmacist ~~shall~~may only prescribe a drug or device consistent with the parameters of the Formulary and Protocol Compendia, and in accordance with federal and state regulations.¶
- (2) A pharmacist must create, approve, and maintain policies and procedures for prescribing post-diagnostic drugs and devices or providing patient care services pursuant to statewide drug therapy management protocols. The policies and procedures ~~shall~~must describe current and referenced clinical guidelines, and include but not be limited to:¶
 - (a) Patient inclusion and exclusion criteria;¶
 - (b) Explicit medical referral criteria;¶
 - (c) Care plan preparation, implementation, and follow-up;¶
 - (d) Patient education; and¶
 - (e) Provider notification; and¶
 - (f) Maintaining confidentiality.¶
- (3) The pharmacist is responsible for recognizing limits of knowledge and experience and for resolving situations beyond their expertise by consulting with or referring patients to another health care provider.¶
- (4) For each drug or device the pharmacist prescribes, the pharmacist must:¶
 - (a) Assess patient and collect subjective and objective information, including the diagnosis for Formulary Compendia items, about the patient's health history and clinical status. The pharmacist's ~~patient~~physical assessment ~~shall~~must be performed in a face-to-face, in-person interaction and not through electronic means;

and¶

(b) Utilize information obtained in the assessment to evaluate and develop an individualized patient-centered care plan, pursuant to the statewide drug therapy management protocol and policies and procedures; and¶

(c) Implement the care plan, to include appropriate treatment goals, monitoring parameters, and follow-up; and¶

(d) Provide notification to the patient's identified primary care provider or other care providers when applicable within five business days following the prescribing of a Compendia drug or device.¶

(5) The pharmacist ~~shall~~must maintain all records associated with prescribing and other related activities performed for a minimum of 10 years, and a copy must be made available to the patient and provider upon request. Pharmacy records must be retained and made available to the Board for inspection upon request. Records must be stored onsite for at least one year and then may be stored in a secure off-site location if retrievable within three business days. Records and documentation may be written, electronic or a combination of the two.¶

(6) If consultation is provided through an electronic means, the Oregon licensed Pharmacist must use real-time audio-visual communication to conduct the consultation.

Statutory/Other Authority: ORS 689.205

Statutes/Other Implemented: ORS 689.645, ORS 689.649

AMEND: 855-020-0300

REPEAL: Temporary 855-020-0300 from BP 22-2021

NOTICE FILED DATE: 10/25/2021

RULE SUMMARY: Permanently adopts new COVID mAb to the protocol compendia. Amends protocol versions in the protocol compendia.

CHANGES TO RULE:

855-020-0300

Protocol Compendium

A pharmacist may prescribe, via statewide drug therapy management protocol and according to rules outlined in this Division, an FDA-approved drug and device listed in the following compendium:¶¶

(1) Continuation of therapy (v. 06/2021)¶¶

(2) Conditions¶¶

(a) Cough and cold symptom management¶¶

(A) Pseudoephedrine (v. 06/2021); ¶¶

(B) Benzonatate (v. 06/2021);¶¶

(C) Short-acting beta agonists (v. 06/2021); and¶¶

(D) Intranasal corticosteroids (v. 06/2021)¶¶

(b) Vulvovaginal candidiasis (VVC) Protocol (v. 06/2021)¶¶

(c) COVID-19 Monoclonal Antibody (mAb) Protocol (v.12/2021)¶¶

(3) Preventative care ¶¶

(a) Emergency Contraception (v. 06/2021);¶¶

(b) Male and female condoms (v. 06/2021);¶¶

(c) Tobacco Cessation, NRT (Nicotine Replacement Therapy) and Non-NRT Protocol (v. 06/2021);¶¶

(d) Travel Medications Protocol (v. 06/2021) ¶¶

(e) HIV Post-exposure Prophylaxis (PEP) Protocol (v. ~~06~~12/2021); and ¶¶

(f) HIV Pre-exposure Prophylaxis (PrEP) Protocol (v. ~~06~~12/2021)¶¶

[Publications referenced are available for inspection in the office of the Board of Pharmacy per OAR 855-010-0021.]

Statutory/Other Authority: ORS 689.205

Statutes/Other Implemented: ORS 689.645, ORS 689.649