



## PERMANENT ADMINISTRATIVE ORDER

**BP 98-2020**  
CHAPTER 855  
BOARD OF PHARMACY

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FILING CAPTION: Required prescription accessibility services mandated by 2019 SB 698

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### RULES:

855-043-0005, 855-043-0436, 855-043-0541, 855-043-0736

AMEND: 855-043-0005

NOTICE FILED DATE: 10/22/2020

RULE SUMMARY: The proposed revisions to the rule are a result of the board's 2020-2024 Strategic Plan to proactively review and update rules to ensure clarity, transparency and promote patient safety.

### CHANGES TO RULE:

855-043-0005

Practitioner Labeling ¶¶

All drugs dispensed by a practitioner must be labeled with the following information:¶¶

- (1) Name, address and telephone number of the practitioner;¶¶
- (2) Date;¶¶
- (3) Name of the patient or the owner of the animal for which the drug is dispensed. If the prescription is for an animal, the species of the animal for which the drug is dispensed;¶¶
- (4) Name of drug, strength, the quantity dispensed. When a generic name is used, the label must also contain the name of the manufacturer or distributor;¶¶
- (5) Directions for use;¶¶
- (6) Required precautionary information regarding controlled substances;¶¶
- (7) Such other cautionary information as required for patient safety; and¶¶
- (8) An expiration date after which the patient should not use the drug or medicine. The expiration date on a drug dispensed must be the same as that on the original container unless, in the practitioner's professional judgment, a shorter expiration date is warranted. A drug must not be dispensed after the expiration date of the drug.¶¶
- (9) Notwithstanding the labeling requirements in this rule, when a drug is dispensed in the practice of an Expedited Partner Therapy treatment protocol, the name of the patient or the patient's partner may be omitted from the label.

Statutory/Other Authority: ORS 689.205

Statutes/Other Implemented: ORS 689.155, ORS 689.505, ~~2009 OL Ch 522~~

ADOPT: 855-043-0436

NOTICE FILED DATE: 10/22/2020

RULE SUMMARY: Directive of 2019 SB 698, which requires accessibility services for limited English proficiency (LEP) patients. These rules are intended for all prescription drugs dispensed directly to patients, and requirements apply to pharmacies and dispensing drug outlets, including non-resident pharmacies.

CHANGES TO RULE:

855-043-0436

Supervising Physician Dispensing Outlet - Limited English Proficiency and Accessibility

(1) Upon request of a patient or a patient's agent, each drug dispensed by a drug outlet for a patient's self-administration must bear a label in both English and the language requested for an individual with limited English proficiency, defined as a person who is not fluent in the English language. This does not apply to a drug outlet dispensing a drug intended for administration by a healthcare worker.

(2) When dispensing a drug under (1), a drug outlet must provide labels and informational inserts in both English and one of the following languages:

(a) Spanish;

(b) Russian;

(c) Somali;

(d) Arabic;

(e) Chinese (simplified);

(f) Vietnamese;

(g) Farsi;

(h) Korean;

(i) Romanian;

(j) Swahili;

(k) Burmese;

(l) Nepali;

(m) Amharic; and

(n) Pashtu.

(3) The board must reassess and update (2) as necessary and at least every ten years.

Statutory/Other Authority: ORS 689.564

Statutes/Other Implemented: ORS 689.205

ADOPT: 855-043-0541

NOTICE FILED DATE: 10/22/2020

RULE SUMMARY: Directive of 2019 SB 698, which requires accessibility services for limited English proficiency (LEP) patients. These rules are intended for all prescription drugs dispensed directly to patients, and requirements apply to pharmacies and dispensing drug outlets, including non-resident pharmacies.

CHANGES TO RULE:

855-043-0541

Dispensing Practitioner Drug Outlet - Limited English Proficiency and Accessibility

(1) Upon request of a patient or a patient's agent, each drug dispensed by a drug outlet for a patient's self-administration must bear a label in both English and the language requested for an individual with limited English proficiency, defined as a person who is not fluent in the English language. This does not apply to a drug outlet dispensing a drug intended for administration by a healthcare worker. ¶

(2) When dispensing a drug under (1), a drug outlet must provide labels and informational inserts in both English and one of the following languages:¶

(a) Spanish:¶

(b) Russian:¶

(c) Somali:¶

(d) Arabic:¶

(e) Chinese (simplified):¶

(f) Vietnamese:¶

(g) Farsi:¶

(h) Korean:¶

(i) Romanian:¶

(j) Swahili:¶

(k) Burmese:¶

(l) Nepali:¶

(m) Amharic; and¶

(n) Pashtu.¶

(3) The board must reassess and update (2) as necessary and at least every ten years.

Statutory/Other Authority: ORS 689.564

Statutes/Other Implemented: ORS 689.205

ADOPT: 855-043-0736

NOTICE FILED DATE: 10/22/2020

RULE SUMMARY: Directive of 2019 SB 698, which requires accessibility services for limited English proficiency (LEP) patients. These rules are intended for all prescription drugs dispensed directly to patients, and requirements apply to pharmacies and dispensing drug outlets, including non-resident pharmacies.

CHANGES TO RULE:

855-043-0736

Community Health Clinic (CHC) - Limited English Proficiency and Accessibility

(1) Upon request of a patient or a patient's agent, each drug dispensed by a drug outlet for a patient's selfadministration must bear a label in both English and the language requested for an individual with limited English proficiency, defined as a person who is not fluent in the English language. This does not apply to a drug outlet dispensing a drug intended for administration by a healthcare worker.

(2) When dispensing a drug under (1), a drug outlet must provide labels and informational inserts in both English and one of the following languages:

(a) Spanish;

(b) Russian;

(c) Somali;

(d) Arabic;

(e) Chinese (simplified);

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Statutory/Other Authority: ORS 689.564

Statutes/Other Implemented: ORS 689.205