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ARCHIVES DIVISION
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NOTICE OF PROPOSED RULEMAKING
INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 855
BOARD OF PHARMACY

FILED
04/26/2018 9:04 AM
ARCHIVES DIVISION
SECRETARY OF STATE

FILING CAPTION: Public Health and Pharmacy Formulary Advisory Committee makeup and procedures

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 05/23/2018 4:30 PM

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.

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Portland, OR 97232

Filed By:
Mo Klein
Rules Coordinator

HEARING(S)

Auxiliary aids for persons with disabilities are available upon advance request. Notify the contact listed above.

DATE: 05/23/2018

TIME: 9:30 AM

OFFICER: Mo Klein

ADDRESS: Portland State Office
Building, Conference Room 1A
800 NE Oregon Street
Portland, OR 97232

NEED FOR THE RULE(S):

Implementation of legislation - 2017 HB 2397

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:

<https://olis.leg.state.or.us/liz/2017R1/Downloads/MeasureDocument/HB2397/Enrolled>

FISCAL AND ECONOMIC IMPACT:

Impact to Oregon Board of Pharmacy - Seven committee members to meet about 4 times per year. Per diem is \$100 - total \$2800/year plus travel reimbursements. Agency currently absorbing all costs, including staff.

COST OF COMPLIANCE:

(1) Identify any state agencies, units of local government, and members of the public likely to be economically affected by the rule(s). (2) Effect on Small Businesses: (a) Estimate the number and type of small businesses subject to the rule(s); (b) Describe the expected reporting, recordkeeping and administrative activities and cost required to comply with the rule(s); (c) Estimate the cost of professional services, equipment supplies, labor and increased administration required to comply with the rule(s).

There is no cost of compliance associated with these rules, as they describe the functions of the Committee.

DESCRIBE HOW SMALL BUSINESSES WERE INVOLVED IN THE DEVELOPMENT OF THESE RULE(S):

Small businesses were not involved in the development of these rules.

WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? NO IF NOT, WHY NOT?

The Board of Pharmacy is required to write rules that comply with the statutory mandates put forth in 2017 HB 2397.

ADOPT: 855-020-0105

RULE SUMMARY: The composition and the function of the Public Health and Pharmacy Formulary Advisory Committee.

CHANGES TO RULE:

855-020-0105

Public Health and Pharmacy Formulary Advisory Committee

(1) The Public Health and Pharmacy Formulary Advisory committee shall consist of: ¶

(a) Two physicians licensed to practice medicine under ORS 677.100 to 677.228; ¶

(b) Two advanced practice registered nurses who have prescriptive authority and who are licensed by the Oregon State Board of Nursing; and ¶

(c) Three pharmacists licensed by the State Board of Pharmacy, at least one of whom is employed as a community pharmacist and one of whom is employed as a health system pharmacist. ¶

(2) A pharmacist may submit a concept, on a form prescribed by the Board to the committee for consideration, for the development of a protocol or the addition of a drug or device to the formulary. ¶

(3) The committee shall recommend to the Board, for adoption by rule, a protocol, formulary of drugs and devices from which a pharmacist may prescribe and dispense to a patient pursuant to a diagnosis by a qualified healthcare practitioner. ¶

(4) The committee shall periodically review the formulary and protocol compendium and recommend the revisions to the board for adoption by rule.

Statutory/Other Authority: ORS 689.205

Statutes/Other Implemented: ORS 689.645, ORS 689.649, ORS 689.155