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BOARD OF PHARMACY

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RULES:

855-020-0110, 855-020-0120, 855-020-0200

REPEAL: 855-020-0110

NOTICE FILED DATE: 12/22/2023

RULE SUMMARY: Repeals Division 020 Pharmacist Prescriptive Authority rules. The board adopted Division 115 Pharmacists rules in August, October, December 2023, and February 2024 which replace Division 020. Division 020 needs to be repealed effective at 11:59PM on 2/29/2024 to allow Division 115 rules to become effective at 12:00AM on 3/1/2024.

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 must 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 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 via the Formulary or Protocol Compendia, the Pharmacist must:~~

- (a) Ensure training and education requirements have been met prior to engaging in prescribing activities. An attestation of or certificate of completion of all required training and education must be retained for 6 years or uploaded into the Pharmacist's electronic licensing record with the board; ¶
 - (b) 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 physical assessment must be performed in a face-to-face, in-person interaction and not through electronic means; ¶
 - (c) 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; ¶
 - (d) Implement the care plan, to include appropriate treatment goals, monitoring parameters, and follow-up; and ¶
 - (e) 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 Formulary or Protocol Compendia drug or device. ¶
- (5) The Pharmacist must maintain all records associated with prescribing and other related activities performed for a minimum of 7 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 must be written, electronic or a combination of the two. ¶
- (6) If consultation is provided through an electronic means, the Oregon licensed Pharmacist must use an audiovisual communication system to conduct the consultation.

Statutory/Other Authority: ORS 689.205, ORS 689.689

Statutes/Other Implemented: ORS 689.645, ORS 689.649, ORS 689.689

REPEAL: 855-020-0120

NOTICE FILED DATE: 12/22/2023

RULE SUMMARY: Repeals Division 020 Pharmacist Prescriptive Authority rules. The board adopted Division 115 Pharmacists rules in August, October, December 2023, and February 2024 which replace Division 020. Division 020 needs to be repealed effective at 11:59PM on 2/29/2024 to allow Division 115 rules to become effective at 12:00AM on 3/1/2024.

CHANGES TO RULE:

~~855-020-0120~~

~~Prescribing Prohibited Practices~~

~~A Pharmacist must not prescribe a drug or device: ¶~~

~~(1) To self or a spouse, domestic partner, parent, guardian, sibling, child, aunt, uncle, grandchild and grandparent, including foster, in-law, and step relationships or other individual for whom a Pharmacist's personal or emotional involvement may render the Pharmacist unable to exercise detached professional judgment in prescribing pursuant to the Formulary and Protocol Compendia. ¶~~

~~(2) An Intern must not prescribe a drug or device. ¶~~

~~(3) A Pharmacist must not require, but may allow, a patient to schedule an appointment with the Pharmacist for the prescribing or administering of an injectable hormonal contraceptive or the prescribing or dispensing of a self-administered hormonal contraceptive.~~

~~Statutory/Other Authority: ORS 689.205~~

~~Statutes/Other Implemented: ORS 689.645, ORS 689.649, ORS 689.689~~

REPEAL: 855-020-0200

NOTICE FILED DATE: 12/22/2023

RULE SUMMARY: Repeals Division 020 Pharmacist Prescriptive Authority rules. The board adopted Division 115 Pharmacists rules in August, October, December 2023, and February 2024 which replace Division 020. Division 020 needs to be repealed effective at 11:59PM on 2/29/2024 to allow Division 115 rules to become effective at 12:00AM on 3/1/2024.

CHANGES TO RULE:

~~855-020-0200~~

~~Formulary Compendium~~

~~A pharmacist may prescribe, according to rules in this Division, an FDA-approved drug and device listed in the following compendium, pursuant to a diagnosis by a health care practitioner who has prescriptive authority and who is qualified to make the diagnosis. The diagnosis must be documented.¶¶~~

~~Devices and supplies:¶¶~~

~~(1) Diabetic blood sugar testing supplies;¶¶~~

~~(2) Injection supplies;¶¶~~

~~(3) Nebulizers and associated supplies;¶¶~~

~~(4) Inhalation spacers;¶¶~~

~~(5) Peak flow meters;¶¶~~

~~(6) International Normalized Ratio (INR) testing supplies;¶¶~~

~~(7) Enteral nutrition supplies;¶¶~~

~~(8) Ostomy products and supplies; and¶¶~~

~~(9) Non-invasive blood pressure monitors~~

~~Statutory/Other Authority: ORS 689.205~~

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