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NOTICE OF PROPOSED RULEMAKING
INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 855
BOARD OF PHARMACY

FILED

10/21/2022 10:02 AM
ARCHIVES DIVISION
SECRETARY OF STATE

FILING CAPTION: Continuing Pharmacy Education procedural rule review; creates new Division 135

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 11/22/2022 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.

CONTACT: Rachel Melvin
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800 NE Oregon St., Suite 150
Portland, OR 97232

Filed By:
Rachel Melvin
Rules Coordinator

HEARING(S)

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

DATE: 11/22/2022

TIME: 9:30 AM

OFFICER: Rachel Melvin

ADDRESS: Oregon Board of Pharmacy
800 NE Oregon St., Suite 150
Portland, OR 97232

SPECIAL INSTRUCTIONS:

This hearing meeting will be held virtually via Microsoft Teams.

If you wish to present oral testimony during this hearing, sign up on our website at www.oregon.gov/pharmacy/pages/rulemaking-information or email your contact information to pharmacy.rulemaking@bop.oregon.gov to receive the link to join the virtual meeting. Please indicate which rule(s) you would like to comment on.

Alternatively, you may dial
503-446-4951
Phone Conference ID:
146 611 440#
for audio only.

You must submit written comments before 4:30PM on November 22, 2022. Email written comments to pharmacy.rulemaking@bop.oregon.gov.

NEED FOR THE RULE(S)

Creates new Division 135 that includes definitions, requirements for applicants, instructors, renewal requirements for licensees and audits to reflect current requirements and standards related to continued pharmacy education. Repeals Division 021 Continuing Pharmacy Education rules in their entirety.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE

Rules Advisory Committee - Continuing Pharmacy Education Meeting Minutes

May 2021 minutes: https://www.oregon.gov/pharmacy/Documents/May_2021_CE_RAC_Meeting_Minutes.pdf

October 2021 minutes: https://www.oregon.gov/pharmacy/Documents/October_2021_CE_RAC_Meeting_Minutes.pdf

January 2022 minutes: https://www.oregon.gov/pharmacy/Documents/January_2022_CE_RAC_Meeting_Minutes.pdf

Resources - Other State Regulations: CA: CCR 1732 https://pharmacy.ca.gov/laws_regs/lawbook.pdf

OH: OAC 4729:1-5 <https://codes.ohio.gov/ohio-administrative-code/chapter-4729:1-5>

TX: TAC 295.8 Continuing Education Requirements

[https://texreg.sos.state.tx.us/public/readtac\\$ext.TacPage?sl=R&app=9&p_dir=&p_rloc=&p_tloc=&p_ploc=&pg=1&p_tac=&ti=22](https://texreg.sos.state.tx.us/public/readtac$ext.TacPage?sl=R&app=9&p_dir=&p_rloc=&p_tloc=&p_ploc=&pg=1&p_tac=&ti=22)

WA: WC 246-861 Pharmacists - Professional Pharmaceutical Education <https://app.leg.wa.gov/wac/default.aspx?cite=246-861&>

STATEMENT IDENTIFYING HOW ADOPTION OF RULE(S) WILL AFFECT RACIAL EQUITY IN THIS STATE

Adopting the proposed rules may increase patient safety for all Oregonians in every community by ensuring that all licensees continue to develop, maintain and enhance their competence in the practice or assistance of the practice of pharmacy.

FISCAL AND ECONOMIC IMPACT:

None anticipated.

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).

It is anticipated that state agencies, units of local government, licensees or the public will not be financially impacted by the proposed rules. Applicants and licensees are currently required by statute and rule to complete certain CE based on their license type.

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

Small businesses were not involved with the development of the proposed rules.

WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? YES

RULES PROPOSED:

855-021-0001, 855-021-0005, 855-021-0007, 855-021-0009, 855-021-0010, 855-021-0045, 855-021-0050, 855-135-0001, 855-135-0010, 855-135-0030, 855-135-0040, 855-135-0050, 855-135-0060, 855-135-0070, 855-135-0080, 855-135-0085, 855-135-0090

REPEAL: 855-021-0001

RULE SUMMARY: Repeals Division 021 CPE rules. Permanent rules for CPE will be located in new Division 135 Continuing Pharmacy Education.

CHANGES TO RULE:

~~855-021-0001~~

Definitions-

- (1) "Continuing Pharmacy Education" or "CPE" means classes of post graduate studies, informal study group participation, institutes, seminars, lectures, conferences, workshops, extension study, correspondence courses, teaching, planned and professional meetings, self-study courses, cassette or audio visual tape/slides or materials, and other self-instruction units applicable to the practice of pharmacy.¶¶
- (2) "Contact hour" means fifty minutes of continuing pharmacy education.¶¶
- (3) "Patient safety" means systems, procedures and processes that ensure that the correct patient receives the correct drug in the correct dose and is counseled appropriately.¶¶
- (4) "Medication error prevention" means systems, procedures and processes to prevent and avoid adverse events and to ensure that the correct patient receives the correct drug in the correct dose.¶¶
- (5) "Pain management education program" means a specific one hour web-based program developed by the Pain Management Commission of the Oregon Health Authority.¶¶
- (6) "Cultural competence" means the lifelong process of examining the values and beliefs and developing and applying an inclusive approach to health care practice in a manner that recognizes the content and complexities of provider-patient communication and interaction and preserves the dignity of individuals, families, and communities.¶¶
 - (a) Cultural competence applies to all patients.¶¶
 - (b) Culturally competent providers do not make assumptions on the basis of an individual's actual or perceived abilities, disabilities or traits whether inherent, genetic or developmental including: race, color, spiritual beliefs, creed, age, tribal affiliation, national origin, immigration or refugee status, marital status, socio-economic status, veteran's status, sexual orientation, gender identity, gender expression, gender transition status, level of formal education, physical or mental disability, medical condition or any consideration recognized under federal, state and local law.

Statutory/Other Authority: ORS 689.205, ORS 676.850

Statutes/Other Implemented: ORS 689.285, ORS 689.486, ORS 413.450, ORS 413.590

REPEAL: 855-021-0005

RULE SUMMARY: Repeals Division 021 CPE rules. Permanent rules for CPE will be located in new Division 135 Continuing Pharmacy Education.

CHANGES TO RULE:

~~855-021-0005~~

~~Continuing Pharmacy Education Required for Pharmacist License Renewal ¶¶~~

~~(1) During the period from July 1 through June 30 of each biennial license renewal cycle, a pharmacist must have satisfactorily completed at least 30 hours of continuing pharmacy education. These hours must include at least: ¶¶~~

~~(a) Two hours of continuing pharmacy education in pharmacy law; ¶¶~~

~~(b) Two hours of continuing pharmacy education in patient safety or medication error prevention; ¶¶~~

~~(c) Two hours of continuing pharmacy education in cultural competency either approved by the Oregon Health Authority under ORS 413.450 or any cultural competency CPE; and ¶¶~~

~~(d) One hour of continuing pharmacy education in pain management, provided by the Pain Management Commission of the Oregon Health Authority; and ¶¶~~

~~(e) Twenty three additional hours of continuing pharmacy education. ¶¶~~

~~(2) Section (1) does not apply to pharmacists applying for the first renewal of their license if they have not been licensed by the board for at least one year prior to July 1 of the renewal period. ¶¶~~

~~(3) A pharmacist must retain documentation of completed continuing pharmacy education for six years and must provide this documentation if requested by the board. ¶¶~~

~~(4) Continuing pharmacy education credit accumulated in excess of the required 30 contact hours for biennial license renewal cannot be carried forward.~~

~~Statutory/Other Authority: ORS 689.205, ORS 676.850~~

~~Statutes/Other Implemented: ORS 689.285, ORS 413.450, ORS 413.590, 2021 HB 2078~~

REPEAL: 855-021-0007

RULE SUMMARY: Repeals Division 021 CPE rules. Permanent rules for CPE will be located in new Division 135 Continuing Pharmacy Education.

CHANGES TO RULE:

~~855-021-0007~~

~~Continuing Pharmacy Education Required for Intern License Renewal~~

~~(1) During each license renewal cycle, an intern must have satisfactorily completed 2 contact hours of approved continuing pharmacy education in cultural competency either approved by the Oregon Health Authority under ORS 413.450 or any cultural competency CPE; and ¶~~

~~(2) An intern must retain documentation of completed continuing pharmacy education for six years and must provide this documentation if requested by the board.~~

~~Statutory/Other Authority: ORS 689.205~~

~~Statutes/Other Implemented: ORS 689.285, ORS 676.850, ORS 413.450, ORS 689.151~~

REPEAL: 855-021-0009

RULE SUMMARY: Repeals Division 021 CPE rules. Permanent rules for CPE will be located in new Division 135 Continuing Pharmacy Education.

CHANGES TO RULE:

~~855-021-0009~~

~~Continuing Pharmacy Education Required for Pharmacy Technician or Certified Oregon Pharmacy Technician License Renewal~~

~~(1) During the period from July 1 through June 30 of each biennial license renewal cycle, a Pharmacy Technician or Certified Oregon Pharmacy Technician must have satisfactorily completed 20 contact hours of continuing pharmacy education. These hours must include: ¶¶~~

~~(a) Two hours of continuing pharmacy education in pharmacy law; ¶¶~~

~~(b) Two hours of continuing pharmacy education in patient safety or medication error prevention; ¶¶~~

~~(c) Two hours of continuing pharmacy education in cultural competency either approved by the Oregon Health Authority under ORS 413.450 or any cultural competency effective July 1, 2023; and ¶¶~~

~~(d) Fourteen additional hours of continuing pharmacy education or documented onsite training approved by the board. ¶¶~~

~~(2) Section (1)(a)(b) and (d) do not apply to a Pharmacy Technician or Certified Oregon Pharmacy Technician applying for the first renewal of their license if they have not been licensed by the board for at least one year prior to July 1 of the renewal period. Section (1)(c) is required. ¶¶~~

~~(3) A Pharmacy Technician or Certified Oregon Pharmacy Technician must retain documentation of completed continuing pharmacy education for six years and must provide this documentation if requested by the board. ¶¶~~

~~(4) Continuing pharmacy education credit accumulated in excess of the required 20 contact hours for biennial license renewal cannot be carried forward. ¶¶~~

~~(5) If a license renewal is submitted after June 30th of the license renewal cycle, continuing pharmacy education must be completed prior to submission of the license renewal. ¶¶~~

~~(6) Section (1)(a)(b) and (d) do not apply to a Pharmacy Technician applying for the first renewal of their license prior to July 1, 2023. Section (1)(c) is required.~~

~~Statutory/Other Authority: ORS 689.205~~

~~Statutes/Other Implemented: ORS 689.285, ORS 689.486, ORS 413.450, ORS 676.850~~

REPEAL: 855-021-0010

RULE SUMMARY: Repeals Division 021 CPE rules. Permanent rules for CPE will be located in new Division 135 Continuing Pharmacy Education.

CHANGES TO RULE:

~~855-021-0010~~

~~Continuing Pharmacy Education Programs ¶¶~~

- ~~(1) A continuing pharmacy education program must consist of therapeutics, or pharmacy and drug law or other aspects of health care applicable to the practice of pharmacy.¶¶~~
- ~~(2) Programs must provide for examinations or other methods of evaluation to assure satisfactory completion by participants.¶¶~~
- ~~(3) The person or persons who are to instruct or who are responsible for the delivery or content of the program must be qualified in the subject matter by education and experience.¶¶~~
- ~~(4) Continuing pharmacy education programs must be approved by the Board of Pharmacy. Application for approval must be made on and in accordance with forms established by the board. The forms must require information relating to:¶¶~~
 - ~~(a) Name of provider or sponsor;¶¶~~
 - ~~(b) Type of program offered;¶¶~~
 - ~~(c) Description of subject matter;¶¶~~
 - ~~(d) Number of contact hours offered;¶¶~~
 - ~~(e) Total number of contact hours in therapeutics or pharmacy and drug law or other aspects of health care applicable to the practice of pharmacy;¶¶~~
 - ~~(f) Method of determining satisfactory completion of program;¶¶~~
 - ~~(g) Dates and location of program;¶¶~~
 - ~~(h) Name and qualification of instructors or other persons responsible for the delivery or content of the program.¶¶~~
- ~~(5) CE programs are not required to carry approval of American Council on Pharmaceutical Education (ACPE). Programs presented by providers approved by the American Council on Pharmacy Education (ACPE) are accepted.¶¶~~
- ~~(6) Providers must provide attendees with proof of attendance that shows the date and number of contact hours provided. Providers must maintain attendance lists for six years.¶¶~~
- ~~(7) A maximum of 10 contact hours may be earned in any licensing cycle by preparing and presenting CE programs. Pharmacists and Certified Oregon Pharmacy Technicians presenting CE programs may earn one contact hour for preparation time of one hour or more, plus credit for the actual contact hour time of the presentation. A pharmacist or Certified Oregon Pharmacy Technician must show content of the course, and a description of the intended audience (e.g., pharmacists, technicians, physicians, nurses). Public service programs, such as presentations to school children or service clubs, are not eligible for continuing education credit.¶¶~~
- ~~(8) Pharmacists or Certified Oregon Pharmacy Technicians taking post graduate studies applicable to graduate or professional degrees may submit the course syllabus and evidence of satisfactory completion of the course for continuing education credit approval by the board.¶¶~~
- ~~(9) The board may approve up to 26 contact hours of CE credit for pharmacists who have successfully completed nationally certified Disease State Management courses.¶¶~~
- ~~(10) Board members or staff may attend CE programs for the purpose of evaluating content, format and appropriateness of material for Continuing Pharmacy Education credit. Subsequent programs by CE providers whose current programs are deemed deficient by on-site evaluation may be required to obtain prior approval by the board. The board will provide feedback to CE providers regarding evaluated CE presentations.~~

~~Statutory/Other Authority: ORS 689.205~~

~~Statutes/Other Implemented: ORS 689.285~~

REPEAL: 855-021-0045

RULE SUMMARY: Repeals Division 021 CPE rules. Permanent rules for CPE will be located in new Division 135 Continuing Pharmacy Education.

CHANGES TO RULE:

~~855-021-0045~~

~~Notification of Biennial License Renewal ¶~~

~~The board will send a biennial renewal notice to be issued to all licensed pharmacists, interns, and Certified Oregon Pharmacy Technicians at least 60 days prior to the license expiration date that states the biennial license fee, continuing pharmacy education requirements and other information necessary for renewal.~~

~~Statutory/Other Authority: ORS 689.205~~

~~Statutes/Other Implemented: ORS 689.275, ORS 689.486~~

REPEAL: 855-021-0050

RULE SUMMARY: Repeals Division 021 CPE rules. Permanent rules for CPE will be located in new Division 135 Continuing Pharmacy Education.

CHANGES TO RULE:

~~855-021-0050~~

~~Continuing Pharmacy Education Audits ¶¶~~

- ~~(1) The biennial renewal application must be submitted to the board with the appropriate fee and the licensee must attest that they have satisfactorily completed the continuing pharmacy education requirements. ¶¶~~
- ~~(2) The Board may randomly select and audit applications for renewal to verify completion of continuing pharmacy education by pharmacists, interns and Certified Oregon Pharmacy Technicians or documented on-site training by Certified Oregon Pharmacy Technicians reported on the application for renewal. ¶¶~~
- ~~(a) Pharmacists whose applications for renewal are selected for audit must provide documentation of completion of the continuing pharmacy education programs reported. A pharmacist who fails to provide the requested documentation to the board or who fails to complete the biennial continuing pharmacy education requirement may be disciplined for unprofessional conduct. ¶¶~~
- ~~(b) Interns whose applications for renewal are selected for audit must provide documentation of completion of the cultural competency continuing pharmacy education. An intern who fails to provide the requested documentation to the board or who fails to complete the biennial continuing education requirement may be disciplined for unprofessional conduct. ¶¶~~
- ~~(c) Certified Oregon Pharmacy Technicians whose applications for renewal are selected for audit must provide documentation of completion of the continuing pharmacy education or documented onsite training reported. A Certified Oregon Pharmacy Technician who fails to provide the requested documentation to the board or who fails to complete the biennial continuing education requirement may be disciplined for unprofessional conduct. ¶¶~~
- ~~(3) The board may utilize the National Association of Boards of Pharmacy CPE Monitor service when auditing licensees.~~

~~Statutory/Other Authority: ORS 689.205~~

~~Statutes/Other Implemented: ORS 689.275~~

ADOPT: 855-135-0001

RULE SUMMARY: The proposed rules clarify definitions, incorporates universally acceptable CPE standards, removes outdated language from existing CPE rules and streamlines the process and requirements for providers and licensees applying for continuing pharmacy education credit. Creates new Division 135 Continuing Pharmacy Education and repeals Division 021 in its entirety.

CHANGES TO RULE:

855-135-0001

Continuing Pharmacy Education: Definitions

(1) "Accredited program" means a structured continuing pharmacy education (CPE) program which has been reviewed and approved by a provider of continuing pharmacy education that is accredited by the Accreditation Council on Pharmaceutical Education (ACPE) (v. 06/01/2022) or continuing medical education (CME) accredited by the Accreditation Council for Continuing Medical Education (ACCME) or an ACCME-recognized State Medical Society (v. 6/2022) as an American Medical Association (AMA) Category 1 CME program. ¶

(2) "Board-approved program" means a structured continuing pharmacy education program which has been reviewed and approved by the board. ¶

(3) "Certificate of completion" means a certificate or other official document issued to a participant certifying the successful completion of a continuing pharmacy education program. ¶

(4) "Continuing Pharmacy Education" or "CPE" means an accredited or board-approved program designed to support the continuing development of Pharmacists, Interns, Certified Oregon Pharmacy Technicians or Pharmacy Technicians to maintain and enhance their competence applicable to the practice of pharmacy or the assistance of the practice of pharmacy. ¶

(5) "Contact hour" means sixty minutes of continuing pharmacy education. ¶

(6) "CPE Monitor" means the electronic tracking service of the ACPE and the National Association of Boards of Pharmacy (NABP) for monitoring continuing pharmacy education that Pharmacists, Interns, Certified Oregon Pharmacy Technicians and Pharmacy Technicians receive from participating providers. ¶

(7) "Cultural competence" means the lifelong process of examining the values and beliefs and developing and applying an inclusive approach to health care practice in a manner that recognizes the content and complexities of provider-patient communication and interaction and preserves the dignity of individuals, families, and communities. ¶

(a) Cultural competence applies to all patients. ¶

(b) Culturally competent providers do not make assumptions on the basis of an individual's actual or perceived abilities, disabilities or traits whether inherent, genetic or developmental including: race, color, spiritual beliefs, creed, age, tribal affiliation, national origin, immigration or refugee status, marital status, socio-economic status, veteran's status, sexual orientation, gender identity, gender expression, gender transition status, level of formal education, physical or mental disability, medical condition or any consideration recognized under federal, state and local law. ¶

(8) "Medication error prevention" means the prevention of events that may cause or lead to inappropriate medication use or patient harm, while the medication is in the control of the healthcare professional, patient, or consumer. ¶

(9) "Patient safety" means the prevention of healthcare related errors or the elimination or mitigation of patient injury caused by healthcare related errors. ¶

(10) "Pain management education program" means a specific one-hour web-based program developed by the Pain Management Commission of the Oregon Health Authority. ¶

(11) "Pharmacy law" means the body of laws relating to pharmacy practice. ¶

(12) "Structured continuing pharmacy education" or "Structured CPE" means education that includes defined learning objectives, qualified instructors, learning assessment, and a program evaluation.

Statutory/Other Authority: ORS 689.205, ORS 676.850

Statutes/Other Implemented: ORS 413.450, ORS 413.590, ORS 689.255, ORS 689.285, ORS 689.486, ORS 689.490

ADOPT: 855-135-0010

RULE SUMMARY: The proposed rules clarify definitions, incorporates universally acceptable CPE standards, removes outdated language from existing CPE rules and streamlines the process and requirements for providers and licensees applying for continuing pharmacy education credit. Creates new Division 135 Continuing Pharmacy Education and repeals Division 021 in its entirety.

CHANGES TO RULE:

855-135-0010

Continuing Pharmacy Education Programs: General Requirements

(1) CPE programs must consist of subject matter pertinent to pharmacy including:

(a) Socioeconomic aspects of healthcare;

(b) Legal aspects of healthcare;

(c) Properties and actions of drugs and dosage forms;

(d) Etiology, characteristics, therapeutics, and prevention of disease states; or

(e) General topics related to pharmacy.

(2) Time spent in the following activities may be included in the calculation of CPE credit:

(a) A program delivered by an instructor or a panel of instructors;

(b) A structured CPE discussion, workshop or demonstration;

(c) A structured CPE question and answer session;

(d) An ACPE accredited program or board-approved program;

(e) An ACCME AMA Category 1 accredited program up to the following limits per renewal cycle:

(A) 10 hours of CPE for Pharmacists;

(B) 6 hours of CPE for Certified Oregon Pharmacy Technicians and Pharmacy Technicians.

(f) A policy discussion at an Oregon Board of Pharmacy meeting up to a maximum of 2 hours of law CPE per renewal cycle.

(3) Time spent in the following activities must not be included in the calculation of CPE credit:

(a) Welcoming remarks;

(b) Meals or social functions;

(c) Business sessions (e.g. voting, treasury report, strategic plan);

(d) Unstructured discussion, workshops, and demonstrations;

(e) Unstructured question and answer sessions;

(f) Degree programs;

(g) Non-ACPE approved certificate programs;

(h) Licensing or certification examinations;

(i) Skills training programs;

(j) Software training programs;

(k) Learning assessments;

(l) Program evaluations; and

(m) Attending CPE programs for which credit was not granted by the provider.

(4) For each accredited or board-approved program, the licensee must retain a certificate of completion for each completed program that includes:

(a) Licensee name;

(b) Title, activity date, and activity number of the program;

(c) Topic designation (e.g. law, patient safety, pain);

(d) Name of the program provider;

(e) Number of contact hours earned by topic designation; and

(f) Statement of credit granted to the participant.

(5) For each accredited or board-approved program, the licensee must ensure that licensee program completion CPE credit was recorded in the CPE Monitor or a certificate of completion is uploaded to the licensee's electronic licensing record with the board prior to submission of the license renewal.

Statutory/Other Authority: ORS 689.205

Statutes/Other Implemented: ORS 689.255, ORS 689.285, ORS 689.490

ADOPT: 855-135-0030

RULE SUMMARY: The proposed rules clarify definitions, incorporates universally acceptable CPE standards, removes outdated language from existing CPE rules and streamlines the process and requirements for providers and licensees applying for continuing pharmacy education credit. Creates new Division 135 Continuing Pharmacy Education and repeals Division 021 in its entirety.

CHANGES TO RULE:

855-135-0030

Continuing Pharmacy Education Programs: Applications for Approval

(1) An application for approval of a CPE program which is not an accredited program may apply for board approval using a form supplied for this purpose. A complete application includes:¶

(a) Program provider or sponsor name:¶

(b) Program name:¶

(c) Program topic designation(s):¶

(d) Licensee type(s):¶

(e) Total number of contact hours offered by topic designation:¶

(f) Description of program goal(s) and learning objective(s):¶

(g) Program format (e.g. interactive discussion, panel, speaker):¶

(h) Name and qualification(s) of each instructor:¶

(i) Date(s) and location(s) of program:¶

(j) Learning assessment; and¶

(k) Program evaluation.¶

(2) The provider must submit an application form a minimum of forty-five days prior to the date the program will be held. Applications submitted less than forty-five days prior to the date the program will be held will not be approved.¶

(3) Incomplete applications will not be approved.¶

(4) An application for post-approval of a CPE program will not be approved.

Statutory/Other Authority: ORS 689.205

Statutes/Other Implemented: ORS 689.285

ADOPT: 855-135-0040

RULE SUMMARY: The proposed rules clarify definitions, incorporates universally acceptable CPE standards, removes outdated language from existing CPE rules and streamlines the process and requirements for providers and licensees applying for continuing pharmacy education credit. Creates new Division 135 Continuing Pharmacy Education and repeals Division 021 in its entirety.

CHANGES TO RULE:

855-135-0040

Continuing Pharmacy Education Programs: Instructors' Credit Toward CPE Hours

(1) Any Pharmacist whose primary responsibility is not the education of health professionals, who instructs a group of health professionals on pharmacy-related topics according to OAR 855-135-0010(1)(a)-(e) in structured CPE may be granted two hours of CPE credit for each hour spent in presenting the course or program which has been approved for CPE credit.¶

(2) Any Pharmacist whose primary responsibility is the education of health professionals may be granted CPE credit as in (1) when instructing a group of health professionals on pharmacy-related topics unrelated to their formal course responsibilities in a learning institution.¶

(3) An instructor will only be granted credit for one presentation of the same course or program.¶

(4) An instructor may earn a maximum of 10 hours of CPE for instruction per renewal cycle.¶

(5) An instructor must submit an application form a minimum of forty-five days prior to the date the program will be held to apply for instructor credit toward CPE hours using a form provided for this purpose by the board. Applications submitted less than forty-five days prior to the date of the program will not be approved.

Statutory/Other Authority: ORS 689.205

Statutes/Other Implemented: ORS 689.285

ADOPT: 855-135-0050

RULE SUMMARY: The proposed rules clarify definitions, incorporates universally acceptable CPE standards, removes outdated language from existing CPE rules and streamlines the process and requirements for providers and licensees applying for continuing pharmacy education credit. Creates new Division 135 Continuing Pharmacy Education and repeals Division 021 in its entirety.

CHANGES TO RULE:

855-135-0050

Continuing Pharmacy Education: Requirements for Pharmacist License Renewal

(1) During the period from July 1 through June 30 of each biennial license renewal cycle, a pharmacist must have satisfactorily completed at least 30 hours of CPE. These hours must include at least:

(a) Two hours of CPE in pharmacy law;

(b) Two hours of CPE in patient safety or medication error prevention;

(c) Two hours of CPE in cultural competency either approved by the Oregon Health Authority under ORS 413.450 or any cultural competency CPE; and

(d) One hour of CPE in pain management, provided by the Pain Management Commission of the Oregon Health Authority; and

(e) Twenty-three additional hours of CPE in subjects pertinent to pharmacy per OAR 855-135-0010(1)(a)-(e).

(2) Pharmacists applying for the first renewal of their license if they have been licensed by the board for at least one year prior to July 1 of the renewal period, must complete the requirement listed in (1).

(3) Pharmacists applying for the first renewal of their license if they have not been licensed by the board for at least one year prior to July 1 of the renewal period, must have satisfactorily completed the following hours of CPE in any topic area. If the initial license is issued between:

(a) July 1 to September 30 of an even year, the Pharmacist must complete 16 hours of CPE.

(b) October 1 to December 31 of an even year, the Pharmacist must complete 12 hours of CPE.

(c) January 1 to March 31 of an odd year, the Pharmacist must complete 8 hours of CPE.

(d) April 1 to June 30 of an odd year, the Pharmacist must complete 4 hours of CPE.

(4) A Pharmacist must register with the CPE Monitor for tracking completed ACPE credit hours.

(5) For each ACPE-approved program, the licensee must ensure that licensee program completion CPE credit was recorded in the CPE Monitor.

(6) For each board-approved or ACCME accredited program, the licensee must ensure that licensee program completion CPE credit was recorded in the CPE Monitor or uploaded to the licensee's electronic licensing record with the board.

(7) A Pharmacist must retain documentation of completed CPE for 6 years and must provide this documentation if requested by the board.

(8) CPE credit accumulated in excess of the required 30 contact hours for biennial license renewal cannot be carried forward.

(9) A Pharmacist who fails to renew their license by the expiration date and whose license has been lapsed for one year or less may apply to renew their license, must complete the CPE requirement in (1) prior to renewal.

(10) A Pharmacist who is applying for reinstatement must provide certification of completion of the continuing pharmacy education requirement in (1) for all licensing cycles in which the license was lapsed, and complete reinstatement requirements listed in OAR 855-019.

Statutory/Other Authority: ORS 689.205, ORS 676.850

Statutes/Other Implemented: ORS 413.450, ORS 413.590, ORS 689.285, ORS 689.486

ADOPT: 855-135-0060

RULE SUMMARY: The proposed rules clarify definitions, incorporates universally acceptable CPE standards, removes outdated language from existing CPE rules and streamlines the process and requirements for providers and licensees applying for continuing pharmacy education credit. Creates new Division 135 Continuing Pharmacy Education and repeals Division 021 in its entirety.

CHANGES TO RULE:

855-135-0060

Continuing Pharmacy Education: Requirements for Intern License Renewal

- (1) During each license renewal cycle, an Intern must have satisfactorily completed 2 contact hours of approved CPE in cultural competency either approved by the Oregon Health Authority under ORS 413.450 or any cultural competency CPE; and ¶
- (2) An Intern must retain documentation of completed CPE for 6 years and must provide this documentation if requested by the board. ¶
- (3) An Intern must register with the CPE Monitor for tracking completed ACPE credit hours. ¶
- (4) For each ACPE-approved program, the licensee must ensure that licensee program completion CPE credit was recorded in the CPE Monitor. ¶
- (5) For each board-approved or ACCME accredited program, the licensee must ensure that licensee program completion CPE credit was recorded in the CPE Monitor or uploaded to the licensee's electronic licensing record with the board.

Statutory/Other Authority: ORS 689.205

Statutes/Other Implemented: ORS 413.450, ORS 676.850, ORS 689.151, ORS 689.255, ORS 689.285

ADOPT: 855-135-0070

RULE SUMMARY: The proposed rules clarify definitions, incorporates universally acceptable CPE standards, removes outdated language from existing CPE rules and streamlines the process and requirements for providers and licensees applying for continuing pharmacy education credit. Creates new Division 135 Continuing Pharmacy Education and repeals Division 021 in its entirety.

CHANGES TO RULE:

855-135-0070

Continuing Pharmacy Education: Requirements for Certified Oregon Pharmacy Technician or Pharmacy Technician License Renewal

(1) During the period from July 1 through June 30 of each biennial license renewal cycle, Certified Oregon Pharmacy Technician or Pharmacy Technician must have satisfactorily completed 20 contact hours of CPE. These hours must include: ¶

(a) Two hours of CPE in pharmacy law; ¶

(b) Two hours of CPE in patient safety or medication error prevention; ¶

(c) Two hours of CPE in cultural competency either approved by the Oregon Health Authority under ORS 413.450 or any cultural competency effective July 1, 2023; and ¶

(d) Fourteen additional hours of CPE in subjects pertinent to pharmacy per OAR 855-135-0010(1)(a)-(e). ¶

(2) Certified Oregon Pharmacy Technicians or Pharmacy Technicians applying for the first renewal of their license, if they have not been licensed by the board for at least one year prior to July 1 of the renewal period, only need to complete cultural competency as required by (1)(c). ¶

(3) Certified Oregon Pharmacy Technicians and Pharmacy Technicians must register with the CPE Monitor for tracking completed ACPE credit hours. ¶

(4) For each ACPE-approved program, the licensee must ensure that licensee program completion CPE credit was recorded in the CPE Monitor. ¶

(5) For each board-approved or ACCME accredited program, the licensee must ensure that licensee program completion CPE credit was recorded in the CPE Monitor or uploaded to the licensee's electronic licensing record with the board prior to submission of the license renewal. ¶

(6) A Certified Oregon Pharmacy Technician or Pharmacy Technician must retain documentation of completed CPE for 6 years and must provide this documentation if requested by the board. ¶

(7) CPE credit accumulated in excess of the required 20 contact hours for biennial license renewal cannot be carried forward. ¶

(8) A Certified Oregon Pharmacy Technician or Pharmacy Technician who fails to renew their license by the expiration date and whose license has been lapsed for one year or less may apply to renew their license and must complete the CPE requirements in (1) prior to renewal. ¶

(9) Section (1)(a)(b) and (d) do not apply to a Pharmacy Technician applying for the first renewal of their license prior to July 1, 2023. Section (1)(c) is required.

Statutory/Other Authority: ORS 689.205

Statutes/Other Implemented: ORS 413.450, ORS 676.850, ORS 689.285, ORS 689.486

ADOPT: 855-135-0080

RULE SUMMARY: The proposed rules clarify definitions, incorporates universally acceptable CPE standards, removes outdate language from existing CPE rules and streamlines the process and requirements for providers and licensees applying for continuing pharmacy education credit. Creates new Division 135 Continuing Pharmacy Education and repeals Division 021 in its entirety.

CHANGES TO RULE:

855-135-0080

Continuing Pharmacy Education: Requirements for Licensees Licensed in Other Health Professions

A Pharmacist, Intern, Certified Oregon Pharmacy Technician or Pharmacy Technician who is licensed to practice another health profession must meet the same CPE requirements in the same manner as all other board licensees and must otherwise comply with this chapter.

Statutory/Other Authority: ORS 689.205

Statutes/Other Implemented: ORS 689.255, ORS 689.285, ORS 689.490

ADOPT: 855-135-0085

RULE SUMMARY: The proposed rules clarify definitions, incorporates universally acceptable CPE standards, removes outdate language from existing CPE rules and streamlines the process and requirements for providers and licensees applying for continuing pharmacy education credit. Creates new Division 135 Continuing Pharmacy Education and repeals Division 021 in its entirety.

CHANGES TO RULE:

855-135-0085

Continuing Pharmacy Education: Notification of Biennial License Renewal

The board will send a biennial renewal notice to be issued to all licensed Pharmacists, Interns, Certified Oregon Pharmacy Technicians, and Pharmacy Technicians at least 60 days prior to the license expiration date that states the biennial license fee, CPE requirements and other information necessary for renewal.

Statutory/Other Authority: ORS 689.205

Statutes/Other Implemented: ORS 689.255, ORS 689.275, ORS 689.486, ORS 689.490

ADOPT: 855-135-0090

RULE SUMMARY: The proposed rules clarify definitions, incorporates universally acceptable CPE standards, removes outdated language from existing CPE rules and streamlines the process and requirements for providers and licensees applying for continuing pharmacy education credit. Creates new Division 135 Continuing Pharmacy Education and repeals Division 021 in its entirety.

CHANGES TO RULE:

855-135-0090

Continuing Pharmacy Education: Audits

(1) The biennial renewal application must be submitted to the board with the appropriate fee and the licensee must attest that they have satisfactorily completed the CPE requirements prior to submission of the license renewal. ¶

(2) The board may select and audit applications for renewal to verify completion of CPE by Pharmacists, Interns, Certified Oregon Pharmacy Technicians, and Pharmacy Technicians reported on the application for renewal. ¶

(3) The board may utilize the National Association of Boards of Pharmacy CPE Monitor service or the licensee's electronic licensing record with the board when auditing licensees for CPE compliance. ¶

(4) If the board is unable to confirm compliance, the licensee must comply with board requests to provide documentation. ¶

(5) A licensee who fails to provide the requested documentation to the board within the time allowed or who fails to complete the biennial CPE requirement may be disciplined for unprofessional conduct.

Statutory/Other Authority: ORS 689.205

Statutes/Other Implemented: ORS 689.275