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NOTICE OF PROPOSED RULEMAKING
INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 855
BOARD OF PHARMACY

FILED

04/25/2022 2:20 PM
ARCHIVES DIVISION
SECRETARY OF STATE

FILING CAPTION: Repeals Intern precepting provision effective during the 2020-2021 academic year.

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 05/24/2022 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.

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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: 05/24/2022

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: 114 068 944# for audio only.

You may file written comments before 4:30PM on May 24, 2022 by emailing your comments to pharmacy.rulemaking@bop.oregon.gov

NEED FOR THE RULE(S)

Removes language that is no longer relevant due to the end of the declared public health emergency.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE

<https://www.oregon.gov/gov/Pages/executive-orders.aspx>

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

Removing language that is no longer relevant may provide clarity, transparency and promote patient safety, no effects on racial equity are anticipated.

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).

There are no known fiscal impacts to the agency or the public.

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

Small businesses were not involved in the development of the proposed amendments.

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

Board staff recommends striking language that is no longer relevant due to the end of the public health emergency related to COVID-19.

AMEND: 855-031-0026

RULE SUMMARY: Removes language in Division 031 that allowed a preceptor to monitor as many interns as they believed was appropriate in their professional judgement during the 2020-2021 academic year as part of the public health emergency related to the COVID-19 pandemic. Adds 'reasonable' to (3).

CHANGES TO RULE:

855-031-0026

Ratio & Supervision ¶¶

(1) A pharmacist may not supervise more than one intern at a time at a TPI site who performs the duties of an intern as listed in OAR 855-019-0200(3)(g). A pharmacist may supervise more than one intern if only one intern performs the duties of an intern as listed in OAR 855-019-0200(3)(g) and if other interns supervised by the pharmacist perform the duties listed in OAR 855-025-0040.¶¶

(2) A preceptor may not supervise more than two interns simultaneously during a shift at an SRI site where patient specific recommendations for care or medications are provided without prior written authorization of the Board. ~~Through the 2020-2021 academic year, a preceptor may monitor as many interns as they believe in their professional judgement is appropriate to achieve desired experiential outcomes for non-direct patient care learning opportunities only, while also preserving and assuring patient safety. The preceptor must retain documentation of all interns monitored during this timeframe.~~board. ¶¶

(3) With the written approval of a school of pharmacy, and when in their reasonable professional judgment it is appropriate, a preceptor may supervise up to 10 interns at public-health outreach programs such as informational health fairs that provide general information but not direct patient care.¶¶

(4) For immunization clinics, an immunizing pharmacist may supervise up to two immunizing interns.¶¶

(5) A licensed preceptor may delegate the preceptor responsibilities to another licensed pharmacist or preceptor.¶¶

(6) The majority of an intern's overall experience must be with a licensed pharmacist preceptor.

Statutory/Other Authority: ORS 689.151, ORS 689.205

Statutes/Other Implemented: ORS 689.255