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CHAPTER 855
BOARD OF PHARMACY

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RULES:

855-120-0001, 855-120-0005, 855-120-0010, 855-120-0030, 855-120-0035, 855-120-0040, 855-120-0050, 855-120-0105, 855-120-0110, 855-120-0115, 855-120-0135, 855-120-0150, 855-120-0155, 855-120-0190, 855-120-0195, 855-120-1010, 855-120-1030, 855-120-1040, 855-120-1050, 855-120-1070, 855-120-1110, 855-120-1115, 855-120-1122, 855-120-1150, 855-120-1155, 855-120-1205

ADOPT: 855-120-0001

NOTICE FILED DATE: 06/16/2023

RULE SUMMARY: New rule that adds applicability requirements for Interns.

CHANGES TO RULE:

855-120-0001

Applicability

This Division applies to any individual who is:

(1) Enrolled in or has completed a Bachelor or Doctor of Pharmacy at a College of Pharmacy or School of Pharmacy (COP or SOP) or is certified by the Foreign Pharmacy Graduate Examination Committee (FPGEC), and who acts as Intern; or

(2) Licensed by the board as a Preceptor to supervise an Intern.

Statutory/Other Authority: ORS 689.205

Statutes/Other Implemented: ORS 689.225

ADOPT: 855-120-0005

NOTICE FILED DATE: 06/16/2023

RULE SUMMARY: New rule that relocates and revises existing rule OAR 855-031-0005 to OAR 855-120-0005 related to Intern definitions. Creates new definitions for "ACPE Accredited", "College of Pharmacy or School of Pharmacy (COP or SOP)", "Healthcare Preceptor", "Internship Program", "Internship Program Supervisor", "Other Preceptor" Revises definition of "Intern" and "Preceptor" to match definitions in ORS 689.005. Repeals definition of "Internship", "Traditional Pharmacy practice Internship (TPI)", "School-based Rotational Internship (SRI)", "Other Internship", and "School of pharmacy".

CHANGES TO RULE:

855-120-0005

Definitions

(1) "ACPE accredited" means a college or school of pharmacy that is accredited, accredited with probation, pre-candidate or candidate status by Accreditation Council for Pharmacy Education (v. 5/2023) including the Lebanese American University school in Byblos, Lebanon after 2002.¶

(2) "College of Pharmacy or School of Pharmacy (COP or SOP)" means an ACPE accredited college or school of pharmacy.¶

(3) "Healthcare Preceptor" means a pharmacist, or person with an active healthcare license in good standing that can independently practice pharmacy within the scope of their licensure and is licensed by the board to supervise the internship training of a licensed Intern.¶

(4) "Intern" means a person who is enrolled in or has completed a course of study at a board approved college or school of pharmacy and who is licensed with the board as an Intern.¶

(5) "Internship Program" means a professional experiential program that is approved by the board.¶

(6) "Internship Program Supervisor " is a Pharmacist licensed with the board as a Preceptor who supervises the Internship Program for a COP or SOP located in Oregon.¶

(7) "Other Preceptor" means a person who is not licensed as a pharmacist or other healthcare provider in Oregon and is licensed by the board to supervise the internship training of a licensed Intern.¶

(8) "Preceptor" means a Pharmacist or a person licensed by the board to supervise the internship training of a licensed Intern.

Statutory/Other Authority: ORS 689.205

Statutes/Other Implemented: ORS 689.151, ORS 689.155

ADOPT: 855-120-0010

NOTICE FILED DATE: 06/16/2023

RULE SUMMARY: New rule that adds qualifications for applicants applying for licensure as an Intern including showing they are enrolled in a Pharm.D. program, holding a Bachelor/Doctor of Pharmacy degree from an accredited institution for Pharmacist licensure, or hold a foreign pharmacy degree and are pursuing Intern licensure for Pharmacist qualification and meeting specific FPGEC certification criteria if necessary. If residing in the US, applicants need to prove citizenship, legal residency, or appropriate visa status.

CHANGES TO RULE:

855-120-0010

Licensure: Qualifications - Intern

(1) To qualify for licensure as an Intern, an applicant must provide proof that they:

(a) Are enrolled in a Doctor of Pharmacy program at a COP or SOP; or

(b) Have graduated with a Bachelor or Doctor of Pharmacy degree from a COP or SOP for the purpose of obtaining the qualifications to apply for a Pharmacist license; or

(c) Have graduated with a Bachelor, Master or Doctor of Pharmacy degree from a foreign college or school of pharmacy and are:

(A) Pursuing an Intern license for the purpose of obtaining the qualifications to apply for a Pharmacist license; and

(B) Certified by the Foreign Pharmacy Graduate Examination Committee (FPGEC). Graduates between 1993 and June 30, 2004 of a Canadian Council for Accreditation of Pharmacy Programs (CCAPP) accredited pharmacy program located in Canada or its jurisdiction with a curriculum taught in English do not have to submit certification from the FPGEC but must meet all other requirements under this rule for an FPGEC certified intern.

(2) If residing in the United States, an applicant must provide proof of citizenship, legal permanent residency or qualifying visa as required by 8 USC 1621.

Statutory/Other Authority: ORS 689.205

Statutes/Other Implemented: ORS 689.151, ORS 689.255

ADOPT: 855-120-0030

NOTICE FILED DATE: 06/16/2023

RULE SUMMARY: New rule that relocates and revises existing rule OAR 855-031-0010 to OAR 855-120-0030 related to application requirements for licensure as an Intern. Applicants for Intern licensure must access the application on the board website, and the board may grant a license upon receiving evidence of compliance with specified requirements including fees, photo, identity, background check, and moral turpitude statement. Penalties can be imposed for incomplete or inaccurate applications, and the license expires every two years on November 30. Imposes application expiration terms and limitations on renewal of Intern license. Repeals automatic termination of license by board and board waiver of rule.

CHANGES TO RULE:

855-120-0030

Licensure: Application - Intern

(1) An application for licensure as an Intern may be accessed on the board website.¶

(2) The board may issue a license to a qualified applicant after the receipt of:¶

(a) Documentation required in OAR 855-120-0030 and for FPGEC certified documentation required in OAR 855-120-0015; and¶

(b) A completed application including:¶

(A) Payment of the fee prescribed in OAR 855-110;¶

(B) A current, passport regulation size photograph (full front, head to shoulders);¶

(C) Personal identification or proof of identity; ¶

(D) A completed national fingerprint-based background check; and¶

(E) A completed moral turpitude statement or a written description and documentation regarding all conduct that is required to be disclosed.¶

(3) Penalties may be imposed for: ¶

(a) Failure to completely and accurately answer each question on the application for licensure or renewal of licensure;¶

(b) Failure to disclose any requested information on the application;¶

(c) Failure to respond to requests for information resulting from the application; ¶

(d) Any other grounds found in ORS 689.405.¶

(4) An application submitted to the board that is not complete within 90 days from applicant submission will be

expired. Once expired, an applicant who wishes to continue with the application process must reapply by

submitting a new application, along with all documentation, and all fees. While a new application and

documentation is required, the board may still consider information that was provided in previous applications. ¶

(5) The license of an Intern expires November 30 and may be renewed as follows:¶

(a) Biennially prior to graduation from a COP or SOP.¶

(b) Once after graduation from a COP or SOP.¶

(c) Once if FPGEC certified or a graduate of a CCAPP program between 1993 and June 30, 2004.

Statutory/Other Authority: ORS 689.205

Statutes/Other Implemented: ORS 689.151

ADOPT: 855-120-0035

NOTICE FILED DATE: 06/16/2023

RULE SUMMARY: New rule that relocates and revises existing rule OAR 855-031-0016 to OAR 855-120-0035 related to requirements when renewing or reinstating an Intern license.

CHANGES TO RULE:

855-120-0035

Licensure: Renewal or Reinstatement - Intern

(1) When applying for renewal of an Intern license, an applicant must:

(a) Pay the biennial license fee required in OAR 855-110;

(b) Complete the continuing pharmacy education requirements as directed in OAR 855-135;

(c) Be subject to a criminal background check; and

(d) Provide a written description and documentation regarding all conduct that is required to be disclosed.

(2) An Intern 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.

(3) An Intern or who fails to renew their license by the expiration date and whose license has been lapsed for greater than one year may apply to reinstate per OAR 855-120-0010; and

(4) A person whose Intern license has been suspended, revoked or restricted has the right, at reasonable intervals, to petition to the board in writing for reinstatement of such license pursuant to ORS 689.445 may apply to reinstate per OAR 855-120-0010.

Statutory/Other Authority: ORS 689.205

Statutes/Other Implemented: ORS 689.151, ORS 689.275, ORS 689.445

ADOPT: 855-120-0040

NOTICE FILED DATE: 06/16/2023

RULE SUMMARY: New rule adds requirements for licensee's who wish to lapse their Intern license.

CHANGES TO RULE:

855-120-0040

Licensure: Lapse - Intern

(1) An Intern may let their license lapse by failing to renew or request that the board accept the lapse of their license prior to the expiration date:¶¶

(a) Lapse of a license is not discipline.¶¶

(b) The board has jurisdiction to proceed with any investigation or any action or disciplinary proceeding against the licensee.¶¶

(c) A person may not practice as an Intern if the license is lapsed.¶¶

(d) A person may apply for renewal according to OAR 855-120-0035.¶¶

(2) If a person requests lapse prior to the expiration date of the license, the following applies:¶¶

(a) The license remains in effect until the board accepts the lapse.¶¶

(b) If the board accepts the lapse, the board will notify the licensee of the date the license terminates.¶¶

(c) The board may not accept the lapse if an investigation of or disciplinary action against the licensee is pending.¶¶

(d) The licensee must return the license to the board within 10 days of the board accepting the lapse.

Statutory/Other Authority: ORS 689.205

Statutes/Other Implemented: ORS 689.153

ADOPT: 855-120-0050

NOTICE FILED DATE: 06/16/2023

RULE SUMMARY: New rule adds requirements for licensee's who wish to voluntarily surrender their Intern license.

CHANGES TO RULE:

855-120-0050

Licensure: Voluntary Surrender - Intern

An Intern may request that the board accept the voluntary surrender of their license.¶

(1) A voluntary surrender of a license is discipline. ¶

(2) The license remains in effect until the board accepts the surrender.¶

(3) If the board accepts a request for voluntary surrender, the board will issue a final order terminating the license, signed by the licensee and a board representative. The termination date is the date is signed by all parties and served on the licensee. ¶

(4) The licensee must cease practicing as an Intern from the date the license terminates.¶

(5) A voluntarily surrendered license may not be renewed. A former licensee who wants to obtain a license must apply for a license per OAR 855-120-0030 unless the final order prohibits the licensee from doing so.¶

(6) The board has jurisdiction to proceed with any investigation or any action or disciplinary proceeding against the licensee.

Statutory/Other Authority: ORS 689.205

Statutes/Other Implemented: ORS 689.153

RULE SUMMARY: New rule that relocates and revises portions of existing rule in OAR 855-031-0020 to OAR 855-120-0105 related to general responsibilities for Interns. Revision include that interns are responsible for their actions, must work within their competency, adhere to state and federal pharmacy laws, and assist or practice under supervision of Pharmacist, identify themselves as Interns, and follow pharmacy policies. As part of an Internship Program, Interns cannot exceed 50 hours per week. Permits Interns to function as pharmacy technicians under Pharmacist supervision, and are not bound by Intern ratio requirements in OAR 855-120-1122 when performing technician tasks solely under a Pharmacist's supervision.

CHANGES TO RULE:

855-120-0105

Responsibilities: General - Intern

- (1) Each Intern is responsible for their own actions; however, this does not absolve the supervising Pharmacist or Preceptor and the pharmacy from responsibility for the Intern's actions.¶
- (2) An Intern is responsible for recognizing the limits of their knowledge and experience and for resolving situations beyond their expertise by consulting with the supervising Pharmacist or Preceptor.¶
- (3) An Intern must:¶
 - (a) Comply with all state and federal laws and rules governing the practice of pharmacy;¶
 - (b) Only engage in the practice of pharmacy under the supervision of a Pharmacist or Healthcare Preceptor:¶
 - (A) After successful completion of academic coursework corresponding to those tasks; and¶
 - (B) When permitted by the supervising Pharmacist or Healthcare Preceptor;¶
 - (c) Only work within the scope of duties permitted by their license and by the supervising Pharmacist or Healthcare Preceptor;¶
 - (d) Know the identity of the supervising Pharmacist or Preceptor at all times;¶
 - (e) Only perform tasks they are trained and competent to perform;¶
 - (f) Appropriately perform the tasks permitted; ¶
 - (g) Only access the pharmacy area when a Pharmacist is physically present;¶
 - (h) Be clearly identified as an Intern in all interactions and communications (e.g., nametag, phone interaction, chart notations);¶
 - (i) Display in plain sight the Intern license within the pharmacy or place of business to which it applies; ¶
 - (j) Review and adhere to written policies and procedures. The review must:¶
 - (A) Occur prior to engaging in the practice of pharmacy as an Intern; ¶
 - (B) Occur with each update to the policies and procedures; and¶
 - (C) Be documented and records retained according to OAR 855-104-0055; ¶
 - (k) Dispense and deliver prescriptions accurately and to the correct party; and¶
 - (l) For hours earned in an Internship Program, must verify that their Preceptor is currently licensed with the board as a Preceptor.¶
- (4) An Intern may not work more than 50 hours per week in an Internship Program and must comply with all supervision and ratio requirements.¶
- (5) An Intern may perform the duties of a pharmacy technician under the supervision of a Pharmacist so long as they adhere to the rules in OAR 855-125. When solely performing technician duties under the supervision of a Pharmacist the ratios in OAR 855-120-1122 do not apply.

Statutory/Other Authority: ORS 689.205

Statutes/Other Implemented: ORS 689.155

ADOPT: 855-120-0110

NOTICE FILED DATE: 06/16/2023

RULE SUMMARY: New rule that refers Interns to universal rule in OAR 855-104-0015 related to confidentiality.

CHANGES TO RULE:

855-120-0110

Responsibilities: Confidentiality - Intern

Each Intern must comply with OAR 855-104-0015 regarding confidentiality.

Statutory/Other Authority: ORS 689.205, ORS 689.305, ORS 689.315

Statutes/Other Implemented: ORS 689.155

ADOPT: 855-120-0115

NOTICE FILED DATE: 06/16/2023

RULE SUMMARY: New rule refers Interns to universal rule in OAR 855-104-0010 regarding duty to report. Adds requirements for Interns to report removal from an Internship Program or dismissal from a Doctor of Pharmacy degree program.

CHANGES TO RULE:

855-120-0115

Responsibilities: Duty to Report - Intern

Each Intern must report to the board as required by OAR 855-104-0010. In addition, unless state or federal laws relating to confidentiality or the protection of health information prohibit disclosure, each Intern must report to the board without undue delay, but within 10 working days if they:

(1) Have been removed from an Internship Program site for reasons including but not limited to patient safety, unprofessional conduct or suspected violation of ORS 475, ORS 689 or OAR 855; or

(2) Have been dismissed from the Doctor of Pharmacy degree program.

(3) For (1) and (2) the Intern must report the date and reason for the removal or dismissal.

Statutory/Other Authority: ORS 689.205

Statutes/Other Implemented: ORS 676.150, ORS 689.151, ORS 689.155, ORS 689.455

ADOPT: 855-120-0135

NOTICE FILED DATE: 06/16/2023

RULE SUMMARY: New rule that permits Interns to practice pharmacy according to rules in OAR 855-115 and as permitted by supervising Pharmacist or Healthcare Preceptor acting within their scope.

CHANGES TO RULE:

855-120-0135

Responsibilities: Permitted Practices - Intern

Interns must only practice pharmacy as authorized by the rules of the board and as permitted by the supervising Pharmacist or Healthcare Preceptor with the practice of pharmacy in their scope. When practicing pharmacy, an Intern must adhere to all the applicable rules in OAR 855-115 for Pharmacists.

Statutory/Other Authority: ORS 689.205, 2022 HB 4034

Statutes/Other Implemented: ORS 689.155, 2022 HB 4034

ADOPT: 855-120-0150

NOTICE FILED DATE: 06/16/2023

RULE SUMMARY: New rule that relocates and revises portions of existing rule in OAR 855-031-0020 and OAR 855-019-0200 to OAR 855-120-0150 related to prohibited practices for Interns. Prohibits Interns are not allowed to practice pharmacy except as permitted by supervising Pharmacist or Healthcare Preceptor, discriminate, communicate with patients in non-English languages without interpreter registration or Preceptor fluency, or engage in patient care services if the supervising Pharmacist is not qualified. Updates list of activities that an Intern must only observe during their first academic year.

CHANGES TO RULE:

855-120-0150

Prohibited Practices - Intern

(1) An Intern must not:

(a) Practice pharmacy as defined in ORS 689.005 except as permitted by the Pharmacist or Healthcare Preceptor who is supervising the Intern;

(b) Engage in any form of discrimination, harassment, intimidation, or assault in the workplace;

(c) Communicate (e.g., counseling, patient care services, billing) with a patient who prefers to communicate in a language other than English or who communicates in signed language, unless the Intern is a health care interpreter registered by the Oregon Health Authority under ORS 413.558 or the supervising Preceptor is also fluent in the language being interpreted; or

(d) Engage in patient care services when the supervising Pharmacist is not trained and qualified to perform the service.

(2) Until an Intern has successfully completed their first academic year, an Intern may observe, but must not:

(a) Conduct a Drug Utilization Review or Drug Regimen Review;

(b) Counsel a patient or the patient's agent regarding a prescription, either prior to or after dispensing, or regarding any medical information contained in the patient's record or chart;

(c) Advise on therapeutic values, content, hazards and use of drugs and devices;

(d) Conduct Medication Therapy Management;

(e) Practice pursuant to a Clinical Pharmacy Agreement or engage in Collaborative Drug Therapy Management;

(f) Practice pursuant to Statewide Drug Therapy Management Protocols;

(g) Prescribe a vaccine, drug or device; or

(h) Perform verification as defined in OAR 855-006-0005.

Statutory/Other Authority: ORS 689.205

Statutes/Other Implemented: ORS 689.155

ADOPT: 855-120-0155

NOTICE FILED DATE: 06/16/2023

RULE SUMMARY: New rule that adds requirements related to grounds for discipline for Interns including continuing to practice when dismissed from degree program, failing to maintain active Intern license, or any other grounds in ORS 689.405.

CHANGES TO RULE:

855-120-0155

Grounds for Discipline - Intern

The following are grounds for discipline:

(1) Continuing to practice as an Intern when one of the following has occurred:

(a) Dismissal from the Doctor of Pharmacy degree program enrolled in to obtain the Intern license; or

(b) Failure to maintain an active Intern license; or

(2) Any other grounds found in ORS 689.405.

Statutory/Other Authority: ORS 689.205

Statutes/Other Implemented: ORS 689.405

ADOPT: 855-120-0190

NOTICE FILED DATE: 06/16/2023

RULE SUMMARY: New rule that adds requirements for Internship Programs including that an Intern must complete 1440 hours of internship in approved programs to qualify for Pharmacist licensure. Programs can be administered by accredited pharmacy schools, Pharmacist Preceptors, or other state Boards of Pharmacy. These Internship Programs, whether for students in Oregon or foreign graduates, must encompass patient care, interprofessional practice, medication-related tasks, and professional development.

CHANGES TO RULE:

855-120-0190

Internship Programs

(1) Interns must complete 1440 hours of internship in an Internship Program to qualify for licensure as a Pharmacist in OAR 855-115-0010 and 855-115-0015.

(2) For obtaining internship hours necessary to apply for a Pharmacist license, the board approves programs:

(a) Administered by an COP or SOP;

(b) Administered for a foreign graduate with FPGEC certification by a Pharmacist registered with the board as a Preceptor;

(c) Administered by another Board of Pharmacy or equivalent in any US state or jurisdiction.

(3) The Internship Program for:

(a) Students enrolled in a COP or SOP located in Oregon must be supervised by an Internship Program Supervisor; or

(b) Foreign graduates with FPGEC certification located in Oregon must be supervised by a licensed Preceptor.

(4) Foreign graduates with FPGEC certification located in Oregon must document the hours obtained on a board approved form.

(5) All Internship Programs must include, but are not limited to:

(a) Direct patient care;

(b) Interprofessional interaction and practice;

(c) Medication dispensing, distribution, administration, and systems management; and

(d) Professional development.

Statutory/Other Authority: ORS 689.205

Statutes/Other Implemented: ORS 689.155

ADOPT: 855-120-0195

NOTICE FILED DATE: 06/16/2023

RULE SUMMARY: New rule that relocates and revises existing rule OAR 855-031-0030 to OAR 855-120-0195 related to requirements for out-of-state internship experience.

CHANGES TO RULE:

855-120-0195

Out-of-State Internship Experience

(1) In order for an Intern to obtain credit for experience obtained outside of Oregon as part of an COP or SOP with an Internship Program based in Oregon, an Intern must be licensed as required by state laws and rules in the state in which they practice.¶

(2) In order for an out-of-state intern to engage in the practice of pharmacy in the State of Oregon, the intern must:¶

(a) Be licensed as an Intern by the State of Oregon; and¶

(b) Comply with ORS 475, ORS 689 and OAR 855.

Statutory/Other Authority: ORS 689.151, ORS 689.205, ORS 689.255

Statutes/Other Implemented:

ADOPT: 855-120-1010

NOTICE FILED DATE: 06/16/2023

RULE SUMMARY: New rule that adds qualifications for applicants seeking licensure as a Preceptor including, a Pharmacist must have practiced for at least a year (or 6 months with an ASHP-accredited residency participation) or a licensed healthcare professional must possess a license in good-standing, and non-licensed healthcare professionals should have a relevant Masters or Doctorate degree.

CHANGES TO RULE:

855-120-1010

Licensure: Qualifications - Preceptor

To qualify for licensure as a Preceptor, an applicant who is:

(1) A pharmacist must have been actively practicing as a pharmacist in any state for at least one year immediately prior to applying for a Preceptor license unless the pharmacist has been licensed for at least 6 months and is actively participating in an ASHP-accredited, pre-candidate, candidate or conditional accredited PGY1 residency program. The pharmacist license must be in good standing.

(2) A licensed healthcare professional must possess a license in good standing.

(3) Not a licensed healthcare professional must possess a Master or Doctorate degree in the academic discipline for which they are precepting.

Statutory/Other Authority: ORS 689.205

Statutes/Other Implemented: ORS 689.151, ORS 689.255

ADOPT: 855-120-1030

NOTICE FILED DATE: 06/16/2023

RULE SUMMARY: New rule that adds application requirements for individuals seeking licensure as a Preceptor consistent with requirements listed in online application.

CHANGES TO RULE:

855-120-1030

Licensure: Application - Preceptor

(1) An application for licensure as a Preceptor may be accessed on the board website.¶

(2) The board may issue a license to a qualified applicant after the receipt of:¶

(a) Attestation to the requirements in OAR 855-120-1010; ¶

(b) A completed application; and ¶

(c) Personal identification that includes a photograph.¶

(3) Penalties may be imposed for: ¶

(a) Failure to completely and accurately answer each question on the application for licensure or renewal of licensure;¶

(b) Failure to disclose any requested information on the application;¶

(c) Failure to respond to requests for information resulting from the application; ¶

(d) Any other grounds found in ORS 689.405.¶

(4) An application submitted to the board that is not complete within 90 days from applicant submission will be expired. Once expired, an applicant who wishes to continue with the application process must reapply by submitting a new application, along with all documentation, and all fees. While a new application and documentation is required, the board may still consider information that was provided in previous applications. ¶

(5) The license of a Preceptor expires June 30 in odd numbered years and may be renewed biennially.

Statutory/Other Authority: ORS 689.205

Statutes/Other Implemented: ORS 689.151

ADOPT: 855-120-1040

NOTICE FILED DATE: 06/16/2023

RULE SUMMARY: New rule that adds requirements for Preceptor's seeking to lapse a Preceptor license.

CHANGES TO RULE:

855-120-1040

Licensure: Lapse - Preceptor

(1) A Preceptor may let their license lapse by failing to renew or request that the board accept the lapse of their license prior to the expiration date.

(a) Lapse of a license is not discipline.

(b) The board has jurisdiction to proceed with any investigation or any action or disciplinary proceeding against the licensee.

(c) A person may not practice as a Preceptor if the license is lapsed.

(d) A person may apply to reinstate a Preceptor license according to OAR 855-120-1035.

(2) If a person requests to lapse the license, the following applies:

(a) The license remains in effect until the board accepts the lapse.

(b) If the board accepts the lapse, the board will notify the licensee of the date the license terminates.

(c) The board may not accept the lapse if an investigation of or disciplinary action against the licensee is pending.

(d) The licensee must return the license to the board within 10 days of the board accepting the lapse.

Statutory/Other Authority: ORS 689.205

Statutes/Other Implemented: ORS 689.153

ADOPT: 855-120-1050

NOTICE FILED DATE: 06/16/2023

RULE SUMMARY: New rule that adds requirements for Preceptor's seeking to voluntary surrender a Preceptor license.

CHANGES TO RULE:

855-120-1050

Licensure: Voluntary Surrender - Preceptor

A Preceptor may request that the board accept the voluntary surrender of their license.¶

(1) A voluntary surrender of a license is discipline. ¶

(2) The license remains in effect until the board accepts the surrender.¶

(3) If the board accepts a request for voluntary surrender, the board will issue a final order terminating the license, signed by the licensee and a board representative. The termination date is the date the licensee is sent the executed final order. ¶

(4) The licensee must cease acting as a Preceptor from the date the license terminates.¶

(5) A voluntarily surrendered license may not be renewed. A former licensee who wants to obtain a license must apply for reinstatement per OAR 855-120-1035 unless the final order prohibits the licensee from doing so.¶

(6) The board has jurisdiction to proceed with any investigation or any action or disciplinary proceeding against the licensee.

Statutory/Other Authority: ORS 689.205

Statutes/Other Implemented: ORS 689.153

ADOPT: 855-120-1070

NOTICE FILED DATE: 06/16/2023

RULE SUMMARY: New rule that relocates and revises language from OAR 855-031-0045 to OAR 855-120-1070 related to Preceptor general responsibilities. Rule requires Preceptors to be individually accountable for their actions, oversee Interns, ensure proper licensing display, provide skill-enhancing experiences for Interns, and verify Intern licensure.

CHANGES TO RULE:

855-120-1070

Responsibilities: General - Preceptor

(1) Each Preceptor is responsible for their own actions.¶

(2) Each Preceptor is responsible for supervising the actions of each Intern.¶

(3) A Preceptor must:¶

(a) Display in plain sight the Preceptor license within the pharmacy or place of business to which it applies;¶

(b) Provide the Intern with experiences which, in the Preceptor's judgment, will increase the Intern's competency in the practice of pharmacy or as a member of the healthcare team; and ¶

(c) Verify that each Intern being supervised by the Preceptor is currently licensed with the board as an Intern.

Statutory/Other Authority: ORS 689.151, ORS 689.205

Statutes/Other Implemented: ORS 689.255

ADOPT: 855-120-1110

NOTICE FILED DATE: 06/16/2023

RULE SUMMARY: New rule that adds confidentiality requirements for Preceptors.

CHANGES TO RULE:

855-120-1110

Responsibilities: Confidentiality - Preceptor

Preceptors must follow all applicable confidentiality laws.

Statutory/Other Authority: ORS 689.205

Statutes/Other Implemented: ORS 689.155

ADOPT: 855-120-1115

NOTICE FILED DATE: 06/16/2023

RULE SUMMARY: New rule that adds duty to report requirements for Preceptors including dismissals or removals of Interns, Preceptors or sites from an Internship Program unless prohibited by confidentiality laws.

CHANGES TO RULE:

855-120-1115

Responsibilities: Duty to Report - Preceptor

Within 10 working days, unless state or federal laws relating to confidentiality or the protection of health information prohibit disclosure, each: ¶

(1) Preceptor at an Internship Program site must report if they have dismissed an Intern from an Internship Program site for reasons including but not limited to patient safety, unprofessional conduct or suspected violation of ORS 475, ORS 689 or OAR 855.¶

(2) Internship Program Supervisor must report the following on behalf of a COP or SOP if it:¶

(a) Has removed a Preceptor or Internship Program site from the Internship Program for reasons including but not limited to patient safety, unprofessional conduct or suspected violation of ORS 475, ORS 689 or OAR 855; or¶

(b) Has dismissed an Intern from a Doctor of Pharmacy degree program.¶

(3) For (1) and (2) the Preceptor and Internship Program Supervisor must report the date and reason for the removal.

Statutory/Other Authority: ORS 689.205

Statutes/Other Implemented: ORS 676.150, ORS 689.151, ORS 689.155, ORS 689.455

ADOPT: 855-120-1122

NOTICE FILED DATE: 06/16/2023

RULE SUMMARY: New rule that relocates and revises existing rule OAR 855-031-0026 to OAR 855-120-1122 related to supervision of Interns and permits a Pharmacist or Preceptor to supervise up to four Interns for direct patient care activities and may supervise a suitable number for non-direct care, with the majority of an Intern's overall experience under a licensed Pharmacist Preceptor's supervision.

CHANGES TO RULE:

855-120-1122

Responsibilities: Supervision - Preceptor

(1) For direct patient care activities, a Pharmacist or Preceptor may supervise no more than four Interns.¶

(2) For non-direct patient care activities, a Pharmacist or Preceptor may supervise as many Interns as they believe in their reasonable professional judgment is appropriate to promote and protect patient health, safety and welfare. ¶

(3) The majority of an Intern's overall experience in an Internship Program must be under the supervision of a licensed Pharmacist Preceptor.

Statutory/Other Authority: ORS 689.151, ORS 689.205

Statutes/Other Implemented: ORS 689.155, ORS 689.255

ADOPT: 855-120-1150

NOTICE FILED DATE: 06/16/2023

RULE SUMMARY: New rule that adds prohibited practices for Preceptors including Preceptors must not discriminate or engage in workplace misconduct, and non-Pharmacist Preceptors can only supervise Interns within their professional license scope, when the Intern is in an approved program, and after their first academic year.

CHANGES TO RULE:

855-120-1150

Prohibited Practices - Preceptor

(1) A Preceptor must not engage in any form of discrimination, harassment, intimidation, or assault in the workplace.

(2) A Preceptor, who is not a Pharmacist, must not supervise an Intern in the practice of pharmacy as defined in ORS 689.005 unless the:

(a) Practice is within the scope of the Healthcare Preceptor's professional license;

(b) Intern is practicing as a part of an Internship Program at a COP or SOP; and

(c) Intern has successfully completed their first academic year.

Statutory/Other Authority: ORS 689.205

Statutes/Other Implemented: ORS 689.155

ADOPT: 855-120-1155

NOTICE FILED DATE: 06/16/2023

RULE SUMMARY: New rule that adds requirements related to grounds for discipline for Preceptors. The board can take disciplinary actions against Preceptors, including suspension, revocation, or penalties, for reasons such as continued supervision after school removal from Internship Program, violating Board orders, or other grounds as defined in ORS 689.405.

CHANGES TO RULE:

855-120-1155

Grounds for Discipline - Preceptor

The board may suspend, revoke, or restrict the license of a Preceptor or may impose a civil penalty upon the Preceptor upon the following grounds:¶

(1) Continuing to supervise an Intern in an Internship Program when one of the following has occurred:¶

(a) School has removed the Preceptor or Internship Program site from the Internship Program for reasons including but not limited to patient safety, unprofessional conduct or suspected violation of ORS 475, ORS 689 or OAR 855.¶

(b) Licensee is not permitted to supervise an Intern per Board order.¶

(c) Registrant is not permitted to utilize Interns per Board order.¶

(2) Any other grounds found in ORS 689.405.

Statutory/Other Authority: ORS 689.205

Statutes/Other Implemented: ORS 689.405

ADOPT: 855-120-1205

NOTICE FILED DATE: 06/16/2023

RULE SUMMARY: New rule that relocates and revises rule OAR 855-031-0045 to OAR 855-120-1205 related to Preceptor qualifications and responsibilities of each Internship Program Supervisor. The Internship Program Supervisor for a COP/SOP and supervising Preceptor for a FPGEC certified Intern must be licensed Pharmacists and Preceptors, maintain records, submit reports, and ensuring Internship Programs meet requirements.

CHANGES TO RULE:

855-120-1205

Qualifications and Responsibilities: Internship Program Supervisor

(1) The Internship Program Supervisor for a COP or SOP located in Oregon must:

(a) Be licensed as a Pharmacist;

(b) Be licensed as a Preceptor;

(c) Maintain a record of each internship completed as part of the Internship Program. This record must be made available to the board upon request;

(d) Submit a report on the Internship Program to the board at the end of each academic year. This report must include the names of students who have:

(A) Successfully completed the degree program including:

(i) Date of graduation; and

(ii) Hours earned in Internship Program; and

(B) Extended their course of study; and

(e) Maintain a list of preceptors and Internship Program sites, in and out-of-state, approved by the school and must make this list available to the board upon request.

(2) The Pharmacist who supervises the Internship Program for a FPGEC certified Intern located in Oregon must:

(a) Be licensed as a Pharmacist;

(b) Be licensed as a Preceptor; and

(c) Certify hours completed for internship credit in the Internship Program on a board-approved form. This record must be made available to the board upon request.

(3) The Internship Program Supervisor in (1) and the supervising Preceptor in (2) must ensure the Internship Program includes the following components:

(a) Direct patient care;

(b) Interprofessional interaction and practice;

(c) Medication dispensing, distribution, administration, and systems management; and

(d) Professional development.

Statutory/Other Authority: ORS 689.205

Statutes/Other Implemented: ORS 689.155