# CHAPTER 4

## RECORDS AND INVENTORIES OF REGISTRANTS

Section 1. Records and Inventory Requirements Generally.

Each registrant shall maintain the records and inventories and shall file reports as required by the Act (Sect. 35-7-1028); the Federal Act and CFR.

(a) Each registered manufacturer, distributor, importer, and narcotic treatment program shall maintain inventories and records of controlled substances as outlined in Chapter II Code of Federal Regulations (1304.01 forward).

(b) Each registered individual practitioner shall keep records with respect to narcotic and non-narcotic controlled substances II - V which he prescribes or administers. Said practitioner shall keep additional records of such substances which he dispenses, whether he charges his patients either separately or together with charges for other professional services.

(c) Each registered pharmacy shall maintain inventories and records of controlled substances as follows:

(i) Inventories and records of all controlled substances listed in Schedules I and II shall be maintained separately from all other records of the pharmacy, and prescriptions for such substances shall be maintained in a separate prescription file in consecutive numbers.

(ii) Inventories and records of controlled substances listed in Schedules III - V shall be maintained separately from all other records of the pharmacy and prescriptions for such substances shall be maintained in separate prescription files for controlled substances in consecutive numbers.

(iii) All invoices for controlled substances shall be dated and signed when received by the pharmacist in charge or his/her designated agent. Invoices shall be maintained on file for two years and readily available for inspection by the board.

(iv) All retail and institutional pharmacies shall maintain a perpetual inventory for all schedule II controlled substances. This inventory shall be reconciled no less than once a quarter. Discrepancies discovered during reconciliation shall be reported to the board within 10 calendar days of discovery. Only those discrepancies, which are considered a significant loss or gain shall be reported. For the purpose of this section a significant loss or gain shall exist whenever the actual inventory differs from the recorded inventory by more than five percent (5%) for any drug product.

(d) Every inventory and other records required to be kept shall be kept by the

registrant and be made available for at least two years from the date of such inventory or record.

Section 2. Inventory Requirements.

Every person required to keep records shall take an inventory of all stocks of controlled substances during the first seven (7) days of May of each year or other date approved by the board.

(a) Each inventory shall contain a complete and accurate record of all controlled substances on hand on the date the inventory is taken.

(b) A separate inventory shall be made by a registrant for each registered address. Each inventory shall be kept at the registered location for which it is taken.

(c) A registrant may take an inventory either as of the opening of business or as of the close of business on the inventory date. The registrant shall indicate the time the inventory was taken on the inventory record.

(d) An inventory must be maintained in a legible written, typewritten, or printed form.

~~(e) Every year on the anniversary of the date on which the initial inventory was taken by the registrant, a new inventory shall be taken of all stocks of controlled substances on hand.~~

(~~f~~e) Each registered pharmacy shall forward one copy of the annual inventory to the office of the Board of Pharmacy, including the name of the pharmacy, date and time (beginning of business or close of business) the inventory was taken, and the signature of the responsible person(s).

Section 3. Order Forms.

Order forms may be obtained only by those persons registered to handle controlled substances in Schedules I and II.

(a) An order form may be executed only by or on behalf of the registrant named thereon and only if his registration is current.

(b) Order forms issued by DEA will be serially numbered and issued with the name, address and registration number of the registrant, the authorized activity and the schedules of the registrant. This information cannot be altered or changed in any manner.

(c) Order forms shall be prepared by use of a typewriter, pen or indelible pencil.

(d) A registrant may authorize another individual to obtain and execute order forms on his behalf by executing a power of attorney. The power of attorney shall be filed with and retained for the same period as any order form bearing the signature of the attorney. The power of attorney shall be available for inspection.

(e) The purchaser registrant shall submit Copy 1 and Copy 2 of the DEA order form 222 to the supplier and retain Copy 3 with his own records. The supplier shall enter the suppliers DEA registration number, number of packages shipped, and the date shipped on Copies 1 and 2. If supplier is another local registrant (not a registrant manufacturer or distributor) Copy 2 may be forwarded directly to the DEA Regional Office or the office of the Board of Pharmacy.

(f) The purchaser registrant shall record on Copy 3 of the order form the number of containers received on each item of the order form and the date received.

(g) Order forms must be maintained separately from all other records of the registrant for a period of two years. Order forms must be available for inspection during that time.

(h) The use of electronic 222 forms issued by the Drug Enforcement Administration is authorized.

Section 4. Methamphetamine Precursor Records

(a) The retail sale of nonliquid methamphetamine precursor drugs or liquid products with ephedrine or pseudoephedrine as the sole active ingredient shall be limited to those amounts as described in W.S.§ 35-7-1059

(b) The seller shall maintain a written or electronic list of such sales (logbook) as described in W.S.§ 35-7-1059.

(c) The sale shall be documented as follows:

(i) The prospective purchaser shall present an identification card that provides a photograph and is issued by a state or the federal government, an alien registration receipt card, a foreign passport, or an employment authorization document which contains a photograph

(ii) The prospective purchaser must sign the logbook and enter in the logbook his or her name, address and the date and time of the sale

(iii) The seller must determine that the name entered in the logbook corresponds to the name provided on such identification and that the date and time entered are correct.

(iv) The seller must enter into the logbook the name of the product and the quantity sold.

(d ) The logbook must contain a notice to purchasers that entereing false statements or misrepresentations in the logbook may subject the purchaser to criminal penalties under 18 U.S.C.§ 1001 and such notice must specify the maximum fine ($250,000.00) and term of imprisonment (5 years).