

CHAPTER 9

PATIENT COUNSELING AND PROSPECTIVE DRUG USE REVIEW REGULATIONS

Section 1. Authority. These regulations are promulgated as authorized by the Act.

Section 2. Definitions.

(a) “Reasonable effort” means that degree of effort which a pharmacist of ordinary prudence and accepted professional duty would exercise in similar circumstances.

Section 3. Patient Profile Records.

(a) A ~~patient~~ profile record ~~system~~ shall be maintained by all pharmacies for patients for whom prescriptions are dispensed. The ~~patient~~ profile record ~~system~~ shall provide for the immediate retrieval of information ~~of so that the pharmacist may identify~~ previously dispensed drugs and devices. The pharmacist shall be responsible for ~~assuring that a reasonable effort is made to obtain, record and~~ maintaining the following patient information ~~from the patient or agent~~ for each new prescription:

(i) Full name of the patient for whom the drug is intended;

(ii) Address and telephone number of the patient;

(iii) Patient’s age or date of birth and gender;

(iv) A list of all prescription drug orders obtained ~~by the patient~~ at the pharmacy ~~maintaining the patient record~~ during the two years immediately preceding the most recent entry showing the name of the drug or device, prescription number, ~~name and~~ strength of the drug, the quantity, ~~and~~ date received and the name of the prescriber; ~~and~~

(v) Pharmacist comments relevant to the individual’s drug therapy, including any ~~other~~ information peculiar to the specific patient or drug.

(b) Each pharmacist or their agent shall make a reasonable effort to obtain the individual’s medical history, ~~when significant, from the patient or the patient’s agent and shall record~~ any known allergies, drug reactions, idiosyncrasies and chronic conditions or disease states of the patient and the identity of any other medications including over-the-counter drugs or devices currently being used by the patient which may relate to prospective drug review.

~~(c) — A patient record shall be maintained for a period of not less than two years from the date of the last entry in the profile record. This record may be a hard copy or a computerized form.~~

Section 4. Prospective Drug Use Review.

(a) A pharmacist shall review the patient record and each prescription drug order presented for dispensing ~~for purposes of promoting therapeutic appropriateness~~ by identifying:

- (i) Overutilization or underutilization;
- (ii) Therapeutic duplication;
- (iii) Drug-disease contraindications;
- (iv) Drug-drug contraindications;
- (v) Incorrect drug dosage or duration of drug treatment;
- (vi) Drug-allergy interactions; and
- (vii) Clinical abuse/misuse.

(b) Upon recognizing any of the above, the pharmacist shall take appropriate steps to avoid or resolve the problem which shall, if necessary, include consultation with the prescriber. The pharmacist shall document those steps taken.

Section 5. Patient Counseling.

(a) Upon receipt of a prescription and following a review of the patient's record, a pharmacist or a pharmacy intern shall personally offer to discuss matters which will enhance or optimize drug therapy with each patient or caregiver of the patient. Non-resident pharmacies/pharmacists are not exempt from this regulation. ~~However the discussion shall be performed by the pharmacist in person, whenever practicable, or by telephone, and shall include appropriate elements of patient counseling.~~ Such elements may include the following:

- (i) Name and description of the drug;
- (ii) Dosage form, dose, route of administration, and duration of drug therapy;
- (iii) Intended use of the drug and expected action;
- (iv) Special directions and precautions for preparation, administration, and use by the patient;
- (v) Common severe side or adverse effects or interactions and therapeutic contraindications that may be encountered, including their avoidance, and the actions required if they occur;
- (vi) Techniques for self-monitoring drug therapy;

- (vii) Proper storage;
- (viii) Prescription refill information;
- (ix) Action to be taken in the event of a missed dose; and
- (x) Comments relevant to the individual's drug therapy, including any other information peculiar to the specific patient or drug or refusal of counseling.

(b) A pharmacist shall not be required to counsel a patient or caregiver when the patient or caregiver refuses consultation. Every refusal shall be documented by the pharmacist.

~~(c) Reasonable efforts shall be made to obtain, record and maintain the following patient information generated at the individual pharmacy;~~

~~_____ (i) Name, address, telephone number, date of birth or age and gender;~~
~~_____~~

~~_____ (ii) Individual history where significant, including known allergies and drug reactions, and a comprehensive list of medications and relevant devices; and~~

~~_____ (iii) Any additional comments relevant to the patient's drug use, including any failure to accept the offer to counsel.~~

(d) Information obtained may be recorded in the patient's manual or electronic profile, in the prescription signature log or in any other system of records and may be considered by the pharmacist in the exercise of professional judgment concerning both the offer to counsel and content of counseling. The absence of any record of a failure to accept the offer to counsel shall be presumed to signify that the offer was accepted and that counseling was provided.

~~(e) Alternative forms of patient information may be used to supplement patient counseling when appropriate. This may include, but is not limited to, written information leaflets, pictogram labels or video programs.~~

Section 6. Retrospective Drug Use Review

- (a) "Retrospective drug use review" means the monitoring for:
 - (i) Therapeutic appropriateness;
 - (ii) Over-utilization and under-utilization;
 - (iii) Appropriate use of generic products;
 - (iv) Therapeutic duplication;

- (v) Drug-disease contraindications;
- (vi) Drug-drug interactions;
- (vii) Incorrect dosage;
- (viii) Duration of drug treatment; and
- (ix) Clinical abuse/misuse after the drug has been dispensed.

~~(b) The Board shall consult in cooperation with the State Medicaid Program, Wyoming Department of Health, regarding Medicaid patient benefits through the authorized Drug Utilization Review Board established by that agency.~~

~~Section 7. Disciplinary Action.~~

~~It shall be grounds for disciplinary action by the Board against the registration of the pharmacy if the Board determines that any person with supervisory responsibilities at the pharmacy sets policies that prevent a licensed pharmacist from providing patient counseling as required by the Act or this Chapter.~~