

March 2008

On-License Renewals

On-line pharmacist's renewals went much better than expected with 79% of pharmacists completing their renewal on-line. The board will expand the on-line renewal program to include pharmacy technicians (fall 2008 renewal notices) and controlled substances registrants (spring 2009 renewal notices)

Change in Pharmacy Law-2007

All pharmacies received a letter with a chart in January 2008, which summarized changes, which occurred in 2007 regarding Wyoming Pharmacy Law (Wyoming Pharmacy Act, Wyoming Controlled Substance Act, and board rules). This letter and chart may be viewed on the board's website (<http://pharmacyboard.state.wy.us>) under items of interest from the board. The board's rule-making order issued in October 2007 has been signed into law by the Governor with an effective date of December 31, 2007. Those changes are reflected in the letter and chart provided by the board's office.

Executive Director Position

Mary Walker was selected as the Executive Director at the January board meeting. Mary has resigned her position as a member of the board in early February and hopefully by the time of this newsletter a replacement board member will have been appointed by the Governor. Mary will start her new position with the board on April 1, 2008. The board will be providing a reception honoring Jim Carder who will be retiring on April 30th and Karen Brannon who will be retiring on May 31, 2008. This reception will be in connection with the next board meeting,

which will be April 16-17 in Casper at the Board's Office. The reception will be the evening of April 16 with time and place to be announced.

Controlled Substance Inventory

During the first seven (7) days of May 2008 each pharmacy must inventory all controlled substances. Please review the following items when taking your inventory:

- Drugs in all schedules (II-V) must be inventoried.
- Write the name and address of the pharmacy and the date and time (beginning of business or end of business) on the inventory.
- The inventory must be signed by the pharmacist responsible for the inventory as well as other persons who assisted in the inventory.
- All controlled substances, including outdated drugs and drugs to be returned, must be inventoried. In an institutional facility, all controlled substances, regardless of location must be inventoried. Indicate the location where the inventory was taken (i.e. ER, OR, etc).
- If the inventory is to be taken on a date other than the first seven days of May 2008, then a written request must be made to the board's office at least 10 days prior to May 1, 2008. A written reply will be sent to the pharmacy submitting the request.
- A legible copy of the inventory must be sent to the board's office. The original must be kept on file in the pharmacy.

Prescription Drug Monitoring Program

All pharmacies licensed by the board should be reporting in addition to any schedule II-IV controlled substances, all prescriptions containing tramadol or carisoprodol to the board's prescription drug monitoring program. Contact the board's office if you have any questions.

January 2008 Board Meeting

The following summarizes highlights of the January meeting:

The following rule changes will be considered in 2008. Interested parties need to attend board meetings or provide input if they have a particular interest or concern.

- Chapter 8, Drug Distributor Rules, Wyoming Pharmacy Act, R&R will be completely revised in 2008 in response to the change in W.S. 33-24-153, which became effective July 1, 2007. the Staff has been working with stakeholders for approximately four months regarding these rules and the board will discuss draft changes in detail at the April meeting. A rule-making notice may be issued in May or June 2008. Draft rules are available on the board's website (<http://pharmacyboard.state.wy.us>) under "proposed rule-making".
- Chapter 2, Section 9 (Wyoming Pharmacy Act, R&R) will be reviewed regarding the numbers of hours per week a pharmacist must be on duty to remain as pharmacist-in-charge. Similar language in Chapter 12 will be reviewed.
- Chapter 4, Intern Regulations (Wyoming Pharmacy Act, R&R) will be reviewed regarding practical experience requirements.
- Chapter 7, Computer Regulations (Wyoming Pharmacy Act, R&R) will be reviewed with a possibility of a complete re-write. You are encouraged to share any ideas you may have regarding this chapter. The board may be looking at pharmacy software requirements. The Stakeholder's meeting in September is the stimulus for this review.
- Chapter 9, Patient Counseling-Prospective Drug Use Review (Wyoming Pharmacy Act, R&R) will be reviewed. Again based on comments made at the Stakeholder's meeting, this chapter will be reviewed with no changes proposed but possibly improved language.

- Chapter 10, Pharmacy Technicians (Wyoming Pharmacy Act, R&R) will be revised to reflect changes in how CE is to be reported to allow on-line renewals to proceed this fall.
- Chapter 12, Section 12(d) (Wyoming Pharmacy Act, R&R) will be reviewed regarding if the pharmacist or only the PIC for an out of state service should be registered with the board when providing off-site pharmaceutical services to an institutional facility whenever the facility's pharmacy is closed. Currently any pharmacist providing this service must be licensed with the board and if provided via a pharmacy then the pharmacy must be licensed with the board.
- Chapter 12, Section 22(e) (Wyoming Pharmacy Act, R&R) regarding the destruction of transdermal patches containing a controlled substances will be reviewed.
- Chapter 13, Section 10 (Wyoming Pharmacy Act, R&R). The issue should USP 797 be incorporated into Wyoming law were discussed. A focus group was formed led by the Wyoming Hospital Association. Pharmacist interested in participating in this group should contact Dan Perdue, President, Wyoming Hospital Association (307-632-9344). This focus group will have a report back to the board by the June meeting.
- Chapter 8, Section 2(b) (Wyoming Controlled Substance Act, R&R). The board will consider the required reporting of prescription data **weekly** rather than **monthly** and will consider the required reporting of the method of payment.
- The board adopted an emergency rule authorizing the prescribing and administering of Herpes Zoster Vaccine. The rule will remain in effect for no more than 120 days after it has been signed by the Governor.
- The next board meeting will be April 16-17, 2008 in Casper at the Board's office.

Notes from the Inspector, Richard Burton, RPh, Board Inspector/Compliance Officer

The Board has had numerous phone calls concerning the two (2) year limit on non-controlled prescriptions and more specifically when written by a practitioner practicing outside the state of Wyoming. For example, if a practitioner in Utah writes a prescription for a non-controlled drug, (meaning if it is a legal drug for a Wyoming practitioner to prescribe in the state of Wyoming), then the two year limit does apply if the prescription is filled in Wyoming. Technically, a new prescription will be legal to fill up to 2 years from the date written. Likewise, a new prescription that is marked “prn” for refills can be filled and then refilled up to 2 years from the date written. Another example, if someone comes into your pharmacy and requests a refill on their blood pressure medicine (which still has refills) and you see on their profile that it has been six months since their last refill, the Board would expect some sort of intervention to be conducted by the pharmacist and hopefully documented. The two (2) year limit on non-controlled prescriptions is addressed in the Wyoming Practice Act Statute 32-24-101(b)(iv)(F). One other note concerning record of refills, if a refill was not authorized on the original prescription or if no refills remain, the pharmacist may contact the prescriber to obtain authorization to refill. A new prescription should be generated with a new prescription number. Additional refills should not be added on to the old prescription. Be sure to document the name of the agent transmitting or authorizing the prescription as well as the number of refills authorized. WY Pharmacy Act R & R, Section 13.

Special Notice about This Newsletter

The *Wyoming Board of Pharmacy News* had been designated as the official method of notification to pharmacists and pharmacy technicians licensed by the Wyoming Board of Pharmacy. Please read these newsletters and keep them for future reference. These newsletters

will be used in hearings as proof of notification. Newsletters are available for review on the Board's web page (<http://pharmacyboard.state.wy.us>).