

SEPTEMBER 2005

Rule-Making Notice

By now everyone should have received the Rule-Making Notice. If you have not received a copy, the Rule-Making Notice and proposed changes in board rules are posted on the board's web site (<http://pharmacyboard.state.wy.us>), under "Rule-Making Notice". The proposed rules were discussed during April, June and July board meetings. A public hearing has been scheduled for October 5, 2005 at the Teton Mountain Lodge in Teton Village. The public hearing will begin at 9am. Written comments will be accepted until 5pm, October 4, 2005. Written comments must be submitted to the board's office. The following briefly summarizes proposed changes.

Wyoming Pharmacy Act, Rules & Regulations:

- Change in license/registration fees for prescription drug distributors, resident/non-resident pharmacies, institutional pharmacies, pharmacists, pharmacy technicians, controlled substance distributors & CS practitioners/non-practitioners. (Chapter 2, Section 27 & CS Act R&R, Chapter 3, Section 1)
- A new chapter 14 titled "Telepharmacy". As a result of legislation, which passed during the last session of the Wyoming Legislature, the board is authorized to promulgate rules relating to telepharmacy. The proposed rules address definitions, licensing of facilities, minimum structural, security and equipment requirements, daily operations and recordkeeping requirements. This change in law will allow a telepharmacy pharmacy connected by real time data, video and audio links to a parent pharmacy to operate without a pharmacist on site.

- Criminal background checks will be expanded to include individuals applying for a pharmacy technician-in-training permit or a pharmacy intern license. (chapter 2, section 5; chapter 3, section 2; chapter 10, section 9;)
- Requirement that pharmacies must notify the board in writing of a proposed change in location for the pharmacy. (chapter 2, section 8)
- Labeling requirements for unit of issue packaging dispensed by a pharmacy (Chapter 2, Section 11)
- Allowing a pharmacist to use their professional judgment in dispensing refills for up to 12 months (provided refills remain) after learning that the practitioner/patient relationship has been terminated for reasons other than discharge of the patient by the practitioner. This should address the issues involving a practitioner retiring or moving out of town. (Chapter 2, section 14).
- Requiring a pharmacist to verify the identity of a person presenting a controlled substance prescription and to maintain a signature log for CS prescriptions picked up at the pharmacy (chapter 2, section 17).
- Clarification of electronic prescription transmission. (chapter 2, section 29)
- A change in Code of Ethics allowing a pharmacist to not dispense a prescription based on personal beliefs provided certain requirements are met(Chapter 4, Section 2)
- A new chapter 15 addressing Long Term Care Pharmacy Services. This chapter addresses definitions, applicability of rules, freedom of choice, pharmacy responsibilities and consultant pharmacist responsibilities.

- Reporting requirements when employees are reported to WPAP for substance abuse as well as PIC requirements that all expired drug products are removed from active stock (Chapter 2, Section 9).
- Deleting the requirement to maintain a log of prescriptions faxed to a pharmacy (chapter 2, section 20).
- Change in requirements for documenting a transfer of prescriptions between pharmacies (chapter 2, section 10).
- Change in education requirements and minimum age for pharmacy technicians-in-training applicants and education requirements for applicants for licensure as a pharmacy technician.
- A change in types of CE accepted, reporting requirements and random audits by the board regarding the continuing education requirements for pharmacists (chapter 6).
- Chapter 3, pharmacy internship regulations have been revised including the following changes:
 - Criminal background check for initial applicants
 - Change in renewal fee from \$10.00 to \$15.00.
 - Clarification of what functions a pharmacy intern may perform under the supervision of a licensed pharmacist.
 - Required "Preceptor Evaluation Report" to be filed with the board after completion of each rotation.
 - Required registration of pharmacy preceptors, including a \$10.00 fee, renewals every two years and a limitation to two pharmacy interns per preceptor pharmacist at any one time.

- Changes in chapter 12, Institutional Pharmacy Practice Regulations specifically:
 - Requiring a fax machine to be in the pharmacy
 - New rules addressing the provision of off-site pharmaceutical care whenever the on-site pharmacy is closed. Requirements including Wyoming licensure of both the pharmacy and pharmacist(s) providing the service, equipment requirements and services to be provided by the off-site pharmacist(s).

Wyoming Controlled Substance Act, Rules and Regulations

- Clarification of how controlled substance prescriptions may be written, including the requirement for security paper and vendors to be approved by the board (chapter 6, section 4)
- New rules addressing what a pharmacist may change on a schedule II prescription. New rules addressing how long a schedule II prescription will remain valid after written by the practitioner as well as requirements for dating and signing the face of a schedule II prescription when dispensed (chapter 6, section 11)
- New rule authorizing the use of electronic 222 forms and requiring invoices be dated and signed when received by a pharmacist or agent (chapter 4, section 3).

Prescription Drug Monitoring Program (PDMP), by Denise Lane, Records Analyst

Atlantic Associates now has a secure File Transfer Protocol (F.T.P.) site available for those pharmacies having problems transmitting data. For more information please contact Atlantic Associates @ 888-492-7341. The board is collecting statistics on the monitoring programming and has a link on our web page. Check it out at: <http://pharmacyboard.state.wy.us> and go to the Prescription Drug Monitoring Program link.

The Wyoming Professional Assistance Program By Christy Davis, PharmD candidate

The Wyoming Professional Assistance Program (WPAP) is a comprehensive recovery program for pharmacists (and other professionals) who suffer from substance abuse. According to George Vandel, the executive director of WPAP, the five year recovery rate for the program is about 85-90 percent, which is much higher than that of groups like Alcoholics Anonymous, at about 25 to 30 percent. The secret to WPAP's success is the comprehensive monitoring that takes place after the initial evaluation and treatment. This monitoring allows professionals to re-enter their career field under the watchful eye of Vandel and his staff to ensure they are on the right path and are not placing their patients in danger.

Once a professional has been referred to the program by a licensing board or anonymous colleague, or has personally asked for assistance, that person must sign a comprehensive contract agreeing to explicitly follow all the provisions of the program. Each person is responsible for the cost of their evaluation, treatment, and random drug screens, which usually cost about \$35 each. In addition, a monthly fee is charged depending on the individual's profession, income, and other special circumstances. Currently the monthly fee for pharmacists is \$50, while that for technicians is \$25.

By offering a treatment program with a specifically designed pathway for re-entry into the workforce, WPAP is able to provide professionals with a second chance at their lives and their careers. For more information on WPAP or to anonymously express concerns about a professional who may need help, please visit the WPAP website at www.wpapro.org or email George Vandel at wpapro@xmt3.net or call (307) 472-1222.

Pharmacy Law Manuals

Pharmacy law manuals are now available in a downloadable PDF file from the board's web page <http://pharmacyboard.state.wy.us>. The board will no longer provide hard copies. Questions-- contact the board's office.