

June 2003



Wyoming State Board of Pharmacy

Wyoming State Board of Pharmacy
1720 S Poplar St, Suite 4
Casper, WY 82601
<http://pharmacyboard.state.wy.us>

Published to promote voluntary compliance of pharmacy and drug law.

New Board Member



be for six years (March 2003 – March 2009).

Governor Dave Freudenthal appointed Randolph A. Harrop to the Wyoming State Board of Pharmacy effective March 1, 2003. Randy graduated from the University of Wyoming School of Pharmacy in 1974. He was the owner/manager of R-D Pharmacy & Books from 1979 until the store was sold to Horizon Pharmacies in 1999. He is currently the pharmacy manager at the Safeway store in Douglas. Randy's term will

New Board Inspector

Henry "Hank" York will be joining the Board's staff as a full-time inspector on June 2, 2003. Hank is a 1977 graduate of the University of Wyoming School of Pharmacy. He has worked as a pharmacist in various areas of Wyoming and most recently has been a sales representative with Eli Lilly & Co. Hank is currently living in Helena, MT, but will be relocating to Casper. Don Deyo will be working on a part-time basis beginning this fall, and Hank will be assuming Don's responsibilities.

March Board Meeting

The Board held a meeting in Casper on March 26-27, 2003. Highlights are as follows:

- ◆ Board officers for the next two years will be: Jennifer S. Nevins, president; Randolph A. Harrop, vice president; Alison K. McManus, secretary-treasurer.
- ◆ Senate File 0107 was passed and signed into law by Governor Dave Freudenthal and will become effective **July 1, 2003**. This legislation may be viewed at the following legislative Web site: <http://legisweb.state.wy.us/2003/enroll/sf0107.pdf>. Highlights of this legislation affecting the Board are as follows: (1) **Prescription drug monitoring program**. The Board will issue a rule-making notice later this summer regarding this program, seek grant monies from the federal government to implement the program, seek a contractor to collect the data from pharmacies, and conduct practitioner awareness programs beginning in the summer of 2004. We hope to have the program up and running by the fall of 2004. This program will require changes in staff and office location. The draft rules being considered by the Board may be reviewed on the Board's Web site (<http://pharmacyboard.state.wy.us>). (2) **Criminal background checks/fingerprinting**. All applicants for licensure as a pharmacist or a pharmacy technician will be required to provide to the Board fingerprints and the necessary fees and

other information required to perform a criminal history background check. (3) **Pharmacist license renewals**. Deadline dates for license renewal have been modified. A separate article in this *Newsletter* addresses this change. (4) **Temporary pharmacist license**. Pharmacists seeking licensure by license transfer (reciprocity) may be issued a temporary license provided their application for license transfer has been received/accepted by the Board and they can provide evidence of active practice (minimum of 400 hours) the year preceding their date of application for license transfer. A \$25 fee will be charged for any temporary license issued and will be valid for a period not greater than six months from date of issue. (5) **Language clarification in W.S. 33-24-122**. Additionally, language added regarding physical impairment of a pharmacist for which no reasonable accommodation can be made as grounds for disciplinary action. (6) **Administrative penalty and letter of admonition** authorized in disciplinary actions involving resident/non-resident pharmacies and manufacturers/distributors of prescription drugs.

- ◆ Rule-Making Order 03-1 was signed into law by the governor on March 12, 2003. Summary of rule changes were printed in the March *Newsletter*. The full text of the rule making order may be found on the Board's Web site: <http://pharmacyboard.state.wy.us>.
- ◆ Jennifer Nevins was selected to be the Board's representative on the Wyoming Tripartite Committee.
- ◆ The next Board meeting will be June 4, 2003 in Casper.

Internet Prescribing and Online Prescriptions

By Don Deyo

The Board's office has received inquiries from pharmacists asking if Internet prescriptions are legal. Wyoming Pharmacy Section 33-24-101 (c) (vii) states that "Filling a prescription without reasonable inquiry and confirmation of its validity if there are reasonable grounds to doubt the current existence of a doctor-patient relationship between the prescriber and the customer seeking to obtain the drug" constitutes "unprofessional conduct." Therefore, if a patient is prescribed a prescription drug without ever having seen the physician, then that prescription will not be valid and should not be filled.

Pharmacist License Renewal

Please note that starting with pharmacist license renewals for 2004, any pharmacist whose renewal is not received by December 31, 2003, will receive a certified letter indicating that his or her license to practice pharmacy will expire 10 days from the date of the

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mailing (which will be on or about December 31). An expired license may be restored if the renewal application, correct fee, and copies of continuing education credits are submitted to the Board not later than March 31, 2003, following expiration of the license. The best advice is to plan your continuing education activities in advance and submit your renewal application, fee, and copies of continuing education well in advance of the December 31 deadline. The late fee will still apply to any renewal postmarked after December 31. Please contact the Board's office if you have any questions regarding this change in law.

Wyoming Pharmacy Laws

All pharmacies (resident and nonresident) will be receiving a new set of law manuals. We have changed the format to 8.5" x 11" paper. Pharmacies will be receiving the Wyoming Pharmacy Act and the Wyoming Controlled Substance Act as well as the accompanying rules and regulations for each. We will be including dividers. Resident pharmacies will receive a binder. The Board inspectors will be delivering the binders as they conduct their inspections in the state. The mailing will include a cover sheet explaining changes in Board rules.

New Prescription Labeling Requirements in 2004 (Yes, This was in the March Newsletter!)

Effective January 1, 2004, each drug container used in a traditional dispensing system shall be labeled with its physical description including any identification code that may appear on the tablets and capsules. This physical description is the color and shape of the tablet; color of the capsule, or color of capsule contents, if clear; and any identification code that may appear on the tablets and capsules. This physical description would ordinarily be printed on an auxiliary label, which would be affixed to the prescription container. You may wish to check with your software provider well ahead of January 2004 to ensure that this service can be provided to your pharmacy. Inquiries will be made at your pharmacy during pharmacy inspections regarding your software as well as any problems that you have encountered in complying with this new requirement. A waiver will be granted for new drugs for the first 120 days on the market and 90 days on drugs for which the national reference file has no description on file.

Alcohol or Drug Problem? Confidential Assistance Available, Call – WPAP at 307/472-1222

If you are concerned about yourself or a colleague, please call the Wyoming Professional Assistance Program (WPAP) to discuss anonymously your concerns. We assist impaired pharmacists and pharmacy technicians to get the help they need without necessarily jeopardizing their licenses. How do I know if I need help? If you answer yes to two of the following questions, we encourage you to call.

- ◆ Have you ever felt the need to cut down on your drinking or drug use?
- ◆ Have people annoyed you by criticizing your drinking or drug use?
- ◆ Have you ever felt bad or guilty about your drinking or drug use?
- ◆ Have you ever needed an eye opener the first thing in the morning to steady your nerves or get rid of a hangover?

WPAP is a source of confidential help for pharmacists and pharmacy technicians who seek the help they need without necessarily jeopardizing their licenses. The Board of Pharmacy acknowledges and affirms that it will not receive information from WPAP concerning the identity of the impaired pharmacist or pharmacy technician who voluntarily applies to and signs an aftercare and monitoring agreement with WPAP.

Special Notice About This Newsletter

The *Wyoming State Board of Pharmacy News* had been designated as the official method of notification to pharmacists and pharmacy technicians licensed by the Wyoming State 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 site, <http://pharmacyboard.state.wy.us>.

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