

JUNE 2001 NEWSLETTER

New Board Member



Governor Geringer appointed Alison Kay McManus to the Board effective March 1, 2001. Kay graduated from the University of Wyoming, School of Pharmacy with honors. She was the pharmacy manager/part owner of Bi-Rite Drug in Sheridan until October 1990, and has been the pharmacy manager at Wal-Mart Pharmacy in Sheridan since October 1990. Kay's term will be for six years (March 2001 -March

2007).

2001 General Session of the Legislature

A number of bills were passed during the last session of the legislature, which affect the practice of pharmacy in Wyoming. The full text of each bill may be viewed by accessing the legislative web page (<http://legisweb.state.wy.us/2001/billsinfo.htm>) or by contacting the Board's office for a copy. The following is a brief summary of the legislation affecting the Board of Pharmacy:

Senate File 0083--Amendments to the Wyoming Pharmacy Act including W.S. §33-24-101 (c)(i) & (c)(viii), changes in definitions of what constitutes unprofessional conduct; W.S. §33-24-112(a)(i), changes in fees for pharmacist licensure by examination; W.S. §33-24-121(a), change in information required on a pharmacist license renewal; W.S. §33-24-136(c), change requiring all patients must be offered counseling on new prescriptions; W.S. §§33-24-147 through 33-24-149, changes in the Generic Substitution Act, which repealed the two-signature prescription blank requirement and allows a pharmacist to substitute with any prescription

(provided the generic equivalent has an "AB" rating), unless the prescriber clearly indicates otherwise.

House Bill 0129--Amendments to the Wyoming Controlled Substance Act involving additions or deletions of drugs as controlled substances and which schedule they fall under. These coincide with changes made by the federal government.

House Bill 0254--Changes in the Pharmacy Technician Act (W.S. §33-24-301). The Board is in the process of revising Chapter 10 of the Board's Rules governing pharmacy technicians.

The Board recommends you review these changes. If you do not have access to the internet, contact our office and we will send a copy of the bill that you have questions about.

April Board Meeting:

Highlights of the April 17th & 18th Board meeting include:

- Proposed changes in Chapter 10 of the Board's Rules governing pharmacy technicians. With changes adopted by the legislature, the Board felt changes were warranted in the rules. You may view the second draft, dated April 24, via the Board's web page (<http://pharmacyboard.state.wy.us>). It will be reviewed at the July 17 Board meeting in Casper.
- Board officers were selected for the next two years: Gerald Palmer, President; Kay McManus, Vice President; Jennifer Nevins, Secretary/Treasurer.
- Board Order 01-01, which was adopted by the Board at the January 18th public hearing has been signed into law by Governor Geringer on March 1, 2001, and involves Chapter 2 of the Board's Rules. Updated chapters as a result of Board Orders 00-01 & 01-01 were mailed this spring to all pharmacies licensed by the Board. Board Orders 00-01 & 01-01 may be viewed

on the Board's web page (<http://pharmacyboard.state.wy.us>). Contact the Board's office, if you have any questions regarding the change in law.

- Web page enhancements--The Board is considering posting on the Board's web page information regarding pharmacists, pharmacy technicians, & controlled substance practitioners. The information to be listed would include name, license/registration number, date originally issued, license/registration expiration date, & license/registration status. A cost estimate is being obtained and more information to be presented at the July Board meeting.
- Future Board meetings: June 15th 1-5pm (Sheridan), July 17th & 18th (Casper)

Advanced Practice Nurses/Physician Assistants

The legislature during the last session passed legislation allowing Advanced Practice Nurses & Physician Assistants to prescribe schedule II controlled substances. This law will be effective on July 1, 2001. Prior to an APN or PA prescribing schedule II controlled substances, they must request a modification in their DEA registration. We have received word from DEA they will honor the request beginning July 1. If you have questions regarding whether an APN or PA may prescribe schedule II controlled substances, you may want to request a copy of their DEA registration. Their DEA number will not change.

So, You're the PIC? (Matt Stanton, Pharmacy Intern)

According to the Board of Pharmacy's rules and regulations, every licensed pharmacy must have a pharmacist in charge (PIC). Well, that's nice, but what exactly does being the PIC mean? To many pharmacists, the letters PIC mean little more than "this person has to answer to the district manager for not much more on his paycheck at the end of the month." Although this may be true, it is definitely not all that is involved; the PIC has a great deal of responsibility.

The PIC is required to spend at least 32 hours per week in the pharmacy, if it is open more than 40 hours per week. If the pharmacy is open less than 40 hours per week, the PIC must be in the pharmacy for 80% of the hours it is open. The PIC is also responsible to ensure that all state and federal laws are followed in the pharmacy and that any violations of these laws be reported to the Board of Pharmacy. Some other responsibilities of the PIC include; establishing policies and procedures for the pharmacy's operation and record keeping, reporting any loss or theft of drugs, supervising the pharmacy staff, including the maintenance and display of their licensure, and establishing procedures for drug recalls.

Many times these responsibilities become blurred or they are delegated to other staff members, however, it should be kept in mind that the PIC is in full charge of the pharmacy and ultimately held accountable for whatever happens in it. For a full text version of a PIC's responsibilities see Wyoming Pharmacy Act Rules and Regulations, Chapter 2, Section 9.

Filling PA's Prescriptions Properly (Don Deyo, Board Inspector)

Board inspectors have found instances in which prescription orders from physician assistants have been dispensed and labeled with the PA's sponsoring physician's name instead of the PA. This is contrary to the Wyoming Pharmacy Act Rules and Regulations which state that all original or refill drug containers shall be labeled with **the practitioner's name**, in addition to the other labeling requirements. When filling any prescription order, use the name of the practitioner actually transmitting the order, and not the sponsoring physician. This will help prevent problems with obtaining refill authorization, records of CS prescribing, etc.

Newly Licensed Pharmacists

The following pharmacists have been licensed since the September newsletter:

Christopher R. Abram, H. Richard Burton, Robert L. Claver, Gordon L. Collier, Stuart A. Fluharty, Kelly T. Fobes, Charlene I. Frei, Paul E. Garibay Jr., Vicki L. Hughes, Larsa V.C. Large, Ronald D. LeBlanc, Richard J. Marrott, Alan L. Miller, Patrick N. Murry, R. Scott Overy, Arleen F. Queen, Perri P. Schneider, Rani J. Scranton, Tomi K. Wendling, & Rossana Zolessi. Congratulations!

Record Keeping Activities

Board inspectors will be paying special attention to how a pharmacy maintains their records of controlled substance purchases. Remember schedule II, III, IV, & V purchases must be separate from all other records, and schedule II must be separate from schedules III, IV, & V. All invoices must be dated when received. Pharmacies not in compliance will be given a time period to comply. Pharmacies not complying will be subject to a controlled substance accountability audit. Contact the Board's office if you have questions regarding maintenance of controlled substance records.

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.