

# WYOMING STATE BOARD OF PHARMACY

## STATE NEWSLETTER

March 2000

### *Highlights from the January Board Meeting*

The last Board meeting was held in Cheyenne on January 26 and 27. Highlights include the following:

- Healthcare Integrity and Protection Data Bank (HIPDB). The Board is required by federal law to report all disciplinary actions taken by the Board against any pharmacist licensed by the Board. HIPDB does have a web page address ([www.npdb-hipdb.com](http://www.npdb-hipdb.com)). For those interested, you may be able to gain more information from this web site; otherwise contact the Board's office for questions.
- The Board's budget for BFY 2001-2002 was approved by the Governor and forwarded to the legislature. The proposed budget for BFY 2001-2002 is \$582,610.00
- Rule Changes: The Board is currently reviewing possible changes in regulations including the following; Pharmacist/Technician Ratio (remove the requirement for petitioning the Board), change the physical requirements for new or remodeled pharmacies, reviewed the regulation governing generic substitution, update the section governing the return or exchange of drugs by a pharmacy, licensing of facilities, code of ethics, reciprocal license transfer, and new regulations governing electronic prescriptions and institutional pharmacy practice. This will be a slow process and require Board review at both their May and June meeting. If you have questions regarding any of the rules, please contact the Board's office.
- Pharmacy issues confronting the practice of pharmacy were discussed including; robotics, imaging, electronic prescriptions, product ID labeling on prescription label, internet

pharmacies, central fill stations, and NABP's initiative to streamline license/registration activities for all Boards. The preceding may not be affecting Wyoming at this time, but trends are occurring in other states, which indicate some, if not all of the preceding may appear in Wyoming in some fashion.

- Collaborative Practice Public Hearing: A public hearing was held on Thursday, January 27 to hear public comments on the proposed rule, and the Board issued a rule-making order dated January 27. The Governor has until March 27, 2000 to approve and file the rule with the Secretary of State. Once approved, the Board will mail information to all pharmacists practicing in Wyoming and post information on the web page ([www.state.wy.us/~pharmacy](http://www.state.wy.us/~pharmacy)).
- The next Board meeting will be Wednesday, May 17 in Casper. This meeting will be devoted to reviewing proposed rules.

### **Annual Inventory of Controlled Substances**

Don't forget to take an inventory of all controlled substances on May 1, 2000. Things to remember regarding this inventory-----

1. Inventory may be taken at opening or closing of business. This must be noted on inventory.
2. All controlled substances CII-CV must be inventoried, including outdated drugs.
3. One copy kept at your pharmacy, and one copy sent to Board office.

### **Responsibilities of the Pharmacist in Charge**

If you are pharmacist in charge, you are in full and actual charge of the pharmacy. Your responsibilities are outlined in Chapter 2, Section 9 of the Wyoming Pharmacy Act Rules and Regulations, and you should be aware that if there are violations of the Wyoming State Board of Pharmacy Laws and Rules and Regulations, that your pharmacy could be charged and fined

accordingly. It would be a good idea to review the rules stated in Chapter 2, Section 9 to make sure that you, as pharmacist in charge, understand them.

### **Pharmacy Alert Program**

This program which is a cooperative project of the Wyoming State Board of Pharmacy and the Drug Enforcement Administration has been very successful, and has significantly reduced the diversion and illegal use of controlled substances. Our thanks to the following people who have contacted us with pharmacy alert information during 1999: Jeri Buckley-RPh, Steve Bagwell-Investigator, Michael Baldwin-RPh, Chris Bartek-RPh, Jonathan Binder-MD, Gene Barbour-RPh, Christine Barstad-MD, Shelly Caskey-RN, Paula Cronk-RPh, Robin Clark, George Carmen-MD, Darrell Dillon-RPh, Roger Ealy-RPh, Jeannie Everding, Chuck Fuller-PA, Ken Ferbrache-PA, Jane Flowers-RN, Helen Fuentes, Annie Fenn-MD, Amy Faigl-RPh, Amy Goodale-Med.Asst., Iris Harnagel-RPh, Terry Hubenka-RPh, Ann Houston-RPh, Amy Hitshew-RN, James Haller-MD, Mitch Homi-RPh, Kathy Howard-CEO, Jim Judd-RPh, Veronica Johnson-RPh, Steve Kastens-RPh, Rob Kress-RPh, Carol LeGoff, Tony Lewis-RPh, Jon Lindstrom-RPh, Sherry Lavalais-RN, Trenette Larson-MD, Mimi Meyer-RN, David Ma-RPh, Patricia Myers-RPh, Joe Martino-RPh, Diana Needham-RPh, Joanne Norris-RPh, Gary Needham-RPh, Ron Parton-RPh, Michelle Piaia-RPh, Joel Pull-MD, Steve Parker-RPh, Steve Peasley-MD, Dan Richins-RPh, Jim Rogers-RPh, Cindy Shepard-RPh, Kale Smith-RPh, Lee Stanley-MD, Jill Sande-RPh, Michael Strahan-MD, Banu Symington-MD, Bryan Sherrill-RPh, Robert Thorne-RPh, Lorri Turner-ANP, Linda Tobey-LPN, Bert Toews-MD, Bill Wenke-RPh, Ron Winger-RPh, Donna Ward-RPh, George Zaharas-RPh.

## **FDA Orange Book Update**

During the Board meeting held on January 26-27, regulations were discussed regarding the continued requirement and use of the FDA Orange Book or it's equivalent in pharmacies. After much discussion, it was determined that the importance of having this requirement was necessary for the public safety and welfare, because the FDA Orange Book is the only reference that can ensure generic substitution with A rated drugs, as our regulations presently require. Since the inspectors will continue to determine the availability of this publication, or it's equivalent, in pharmacies, the Board is planning to discuss the use and importance of this reference with pharmacists during inspections. Additionally, the Board is planning to inform pharmacists further by distributing information and having programs with CE credits regarding this important aspect of dispensing prescription drugs.

### ***Issues and Answers:***

In response to calls coming to the Board Office and questions asked of field investigators, the following are some timely issues and answers that may be helpful to practicing pharmacists:

#### ***Forged Prescriptions:***

Q. When I receive a forged prescription, is it necessary in Wyoming for the forger to have the prepared drug in his/her custody before they may be apprehended by law enforcement officials?

A. No, in fact all that may be necessary is for the Pharmacist to be able to identify the forger as the bearer of the falsified prescription. Check with your local law enforcement on their current requirements.

#### ***Changing Schedule II Prescriptions:***

Q. Can I change anything on a schedule II prescription?

A. Yes. Most changes can be made for any controlled prescription **after consulting** with the

physician. The Pharmacist is permitted to change the patient's address, drug strength, drug quantity, dosage form, and the directions for use. The Pharmacist is permitted to make additions provided by the patient or bearer such as the patient's address and such additions should be verified. The Pharmacist is never permitted to make changes to the patient's name, controlled substance prescribed (except for generic substitution permitted by state law) or the prescriber's signature.

*Foreign Prescriptions:*

Q. Can I fill a prescription written by a physician not licensed in the United States?

A. Prescriptions from foreign countries may not be filled in Wyoming. The best advice for someone trying to have a foreign Rx filled is to have them visit a local physician to obtain a new Rx

*Status of Marinol® and Ketamine:*

As of January 3, 2000, Marinol® has been rescheduled from a Schedule II to Schedule III and Ketamine is now a Schedule III controlled substance in the Wyoming Controlled Substance Act. This action was taken by Gay Woodhouse, Wyoming Attorney General, in her capacity as the Commissioner of Drugs and Substances Control. This was in response to scheduling action taken by the Drug Enforcement Administration in August 1999.

*Advanced Practitioners of Nursing:*

The following advanced practitioners of nursing have met the Wyoming State Board of Nursing's requirements for prescriptive authority: Wendy King (Houlton, ME), Patrician Ann Loge (Columbus, MT), Charlotte Kearney-Mason (Jackson), and Marcia Newell (Laramie).

***Special Notice about this Newsletter***

The *Wyoming State Board of Pharmacy News* has 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.