

## September 2001 Newsletter

### ***Generic Substitution***

The changes in the Generic Substitution Act made during the last session of the Legislature has created some confusion. The change in law repealed the requirement for practitioners to use a two-signature prescription blank and allows pharmacists to use a generically equivalent product on any prescription provided the generic product selected by the pharmacist is AB rated, *unless the practitioner has clearly indicated no substitution is allowed or similar language*. We do have practitioners still using the two-signature prescription blank, which would be allowed. If the practitioner signs on the right, then the pharmacist is required to dispense the brand product prescribed, unless a call is made to the practitioner authorizing a generic substitution. We are trying to work with the practitioners and eliminate the two-signature prescription blank. Please contact the Board's office if you have questions regarding this issue.

### ***Telepharmacy***

During the June & July meeting of the Board of Pharmacy, Telepharmacy Solutions presented an overview of their remote dispensing unit. This remote dispensing unit allows a pharmacist to dispense prescription drug products and provide counseling via a video link to a customer at a site other than the pharmacy. It does require personnel to operate the unit at the remote site. The dispensing unit would be placed in a physician's office space, clinic building, etc., and would require someone to place the label on the dispensed container, and deliver the product to the patient. A video link would enable the pharmacist to counsel the patient remotely. This company did have a booth at the June meeting of the Wyoming Pharmacists Association. Some areas of concern include:

1. Arrangements between pharmacy and practitioner for the remote unit to be located in the practitioner's office.
2. Who would be liable for any dispensing errors?
3. Who may restock the dispensing unit?
4. Should remote dispensing unit or site be licensed?

The Board and staff would like to receive comments, and these may be sent to the Board office.

If enough interest is generated by pharmacists in Wyoming on remote dispensing units, the Board will consider adopting rules governing the use of such devices.

***June & July Board Meeting:***

Highlights of the June and July Board meetings include:

- Proposed changes in chapter 2, section 4, 9; chapter 9, section 5; and chapter 10 of the Board's Rules were reviewed.
- Proposed rules for electronic transmission of prescriptions were reviewed
- Web page enhancements- The Board's web page will include information regarding license/registration status for pharmacists, technicians, and practitioners. The information on practitioners will be relevant to their registration to administer, dispense, or prescribe control substances. The above should be available by September, and will be updated monthly.
- Presentations by vendors including Telepharmacy Inc., Senior Med Pharmacy, & Prompt Script.
- Reviewed suggested language for enhancement of current CS statute (W.S. 35-78-1058a) regarding precursors. Information to be forwarded to Wyoming Attorney General for consideration.

The proposed changes in regulations will be discussed at the August 29<sup>th</sup> Board meeting. All proposed changes may be viewed on the Board's web page (<http://pharmacyboard.state.wy.us>)

### ***Newly Licensed Pharmacists***

The following pharmacists have been licensed since the June newsletter: Tracy Baher, Gerard J. Barnes, Sarah A. Blakely, Sarah S. Feddema, Natasha S. Gallizi, Yvette M. Lovato, Ronald A. Maxwell, Elizabeth L O'Neil, Ronald R., Roden, Deborah A. Schmidt, Kenneth D. Tooke, and Kiechel C. Valentine. *Congratulations!*

### ***Newly Licensed Pharmacy Technicians***

The following pharmacy technicians have been licensed since December newsletter: Sandra K. Borrego, James V. Brown, Peggy J. Crawmer, Matthea V. Ludwig, Lindsey Sahualla, Angela Shankle, and Lynette Uhl. *Congratulations!*

### ***Advanced Practitioners of Nursing***

The following advanced practitioners of nursing have met the Wyoming State Board of Nursing's requirements for prescriptive authority: **Dorothy Barelli**, Casper; **Mary Cox**, Cheyenne; **Michael Enright**, Jackson; **Esther Gilman-Kehrer**, Laramie; **Connie Miller**, Wellington, CO; **June Miller**, Cheyenne; and **Carol Sednek**, Kersey, CO.

**Alcohol or Drug Problem? Confidential Assistance is Available**

**Call WPAP at (307) 472-1222**

If you are concerned about yourself or a colleague, please call Wyoming Professional Assistance Program to discuss your concerns anonymously. We assist impaired healthcare professionals to get the help they need without necessarily jeopardizing their licenses.

***Pharmacy Technicians --- what duties are they not allowed to perform in the pharmacy?***

Pharmacy technicians are not allowed by law to take verbal orders for new prescriptions or counsel a patient or their agent on their medication. Otherwise they may assist the pharmacist in all other duties necessary to operate a pharmacy. The Board is revising Chapter 10 of the Board's Rules. We recommend you review the proposed changes. The revised rules describe what pharmacy functions are allowed by a pharmacy technician and link the performance of these duties with a pharmacist being on duty in the pharmacy. The pharmacy functions are described for both a retail and an institutional setting. The proposed changes may be viewed on the Board's web page (<http://pharmacyboard.state.wy.us>).

***Levothyroxine Product Questions***

On August 14, 1997, the FDA announced in the Federal Register that orally administered levothyroxine sodium drug products are "new drugs" and that manufacturers must submit a new drug application (NDA) for approval and that this must be accomplished by August 14, 2001. As of July 12, 2001 only two products have been approved by the FDA (Unithroid, Jerome Stevens Pharmaceuticals and Levoxyl, Jones Pharma). Synthroid, which is probably the biggest name has submitted a NDA, but it has not been approved by the FDA. As we understand Abbott will be able to continue distributing Synthroid, but if their NDA is not approved they will have to cease marketing their product by August 14, 2003. The two products, which have been

approved, are not bio-equivalent and are rated BX in the "Orange Book". Additional information regarding levothyroxine sodium products may be obtained by contacting the FDA (301-827-4573) and asking for a copy of "Guidance for Industry- Levothyroxine Sodium Products Enforcement of August 14, 2001 compliance Date and Submission of New Applications" or viewing their web page <http://www.fda.gov/cder/guidance/index/htm>.

***Your inspectors need your help! (Don Deyo, Inspector)***

We are finding many instances of diversion of controlled substances, hydrocodone in particular, in which a prescription has been telephoned to a pharmacy by someone pretending to be an agent of the physician. The perpetrator is usually someone who has visited the physician's office previously, and knows the name of the nurse or receptionist. That name is used when the bogus Rx is phoned to the pharmacy, usually for a fictitious patient. ***This is where the pharmacist can help us!*** When any prescription is picked up at the pharmacy, the pharmacist or employee under his supervision must verify the identity of the person receiving the Rx. Find this in Chapter 2, §18, of our Rules and Regulations. If you do not visually recognize the person receiving the Rx, require a driver's license, and make sure it is the patient. If it is not the patient, do not dispense the Rx. This simple step, required by law, will help to eliminate diversion of controlled substances.

***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.