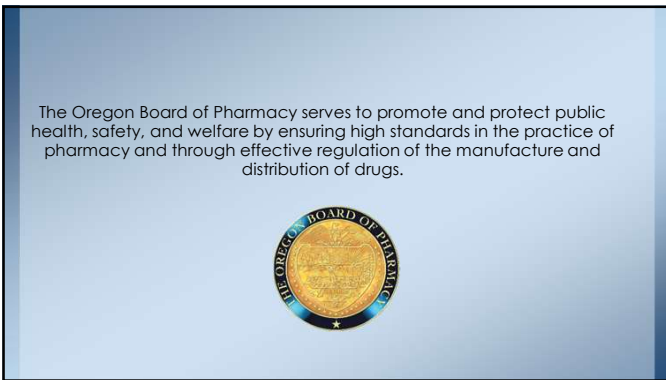
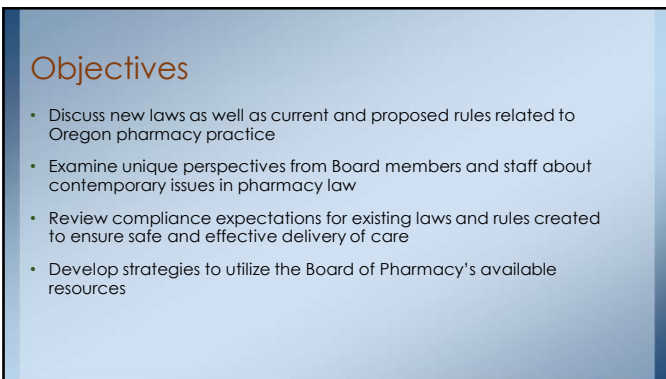




1



2



3

Question 1:

Per new statutes in 2022, after data verification, a pharmacist may delegate to a pharmacy technician (PT or COPT) the final verification of the: (Select all that apply)

Physical product

- a) Expiration date
- b) Quantity
- c) Dosage
- d) Dosage form

4

Question 2:

When communicating with a patient who prefers to communicate in a language other than English or who communicates in signed language, the Pharmacist must do the following EXCEPT:

- a) Work with a health care interpreter (HCI) from OHA's HCI registry
- b) Refer to a HCI even if the pharmacist is fluent in the patient's preferred language
- c) Provide PPE at no cost to the HCI
- d) Maintain records of the first and last name of the HCI

5

Question 3:

In order to improve access to prescription medications in rural areas or areas of low pharmacy availability, which of the following may be utilized (choose all that apply)?

- a) Remote Dispensing Site Pharmacy
- b) Drug Room
- c) Pharmacy Prescription Kiosk
- d) Pharmacy Prescription Locker
- e) Shared Pharmacy Service Agreement

6

Question 4:

Which category of continuing education will be the first (and so far, only) requirement for CE that must be completed by Interns when renewing their license?

- a) Pain Management
- b) Cultural Competency
- c) Patient Safety
- d) Medication Error Prevention
- e) Pharmacy Law

7

Overview

- Procedural rule review / Division Vision
- 2022-2023 Legislative Session impacts to Oregon pharmacy
- Recent rules review
- Public Health and Pharmacy Formulary Advisory Committee (PHPFAC) / Prescribing update
- Common compliance issues
- Board resources

8

Procedural Rule Review

Division Vision



9

Registration and Licensure Types

REGISTRATION

- Retail Drug Outlet (RP)
 - Pharmacy
 - Charitable Pharmacy
 - Remote Dispensing Site Pharmacy
 - Kiosk
 - Locker
- Institutional Drug Outlet (IP)
 - Pharmacy
 - Drug Room
 - RDI/RDM
 - Nuclear
 - LTC/Residential
 - Home Infusion
 - Home Dialysis
 - Correctional Facility

LICENSURE TYPES

- Pharmacist
- Intern
- Certified Oregon Pharmacy Technician
- Pharmacy Technician

10

Division Vision - DRAFT

100 Definitions	136 DO Pharmacy (RP)	186 DO Nonprescription
102 Procedural	139 DO Remote Dispensing Site Pharmacy (RP)	189 DO Prophylactic
104 Board Policies	141 DO Kiosk (RP)	191 DO Devices
110 Fees	143 DO Locker (RP)	194 DO Practitioner Dispensing (RP)
112 Public Health Emergency	144 DO Charitable Pharmacy (RP)	197 DO CHC's
115 Pharmacist	156 DO Pharmacy (IP)	199 DO Animal Euthanasia
120 Intern	159 DO Drug Room (IP)	200 Facility- Manufacturer
125 COPT/PT	161 DO RDI/RDM (IP)	203 Facility- Wholesaler
130 HPSP	164 DO Nuclear (IP)	206 Facility- DDA
135 CE *EJP 7/11/2023	167 DO LTC/Residential (IP)	
	170 DO Home Infusion (IP)	
	173 DO Home Dialysis (IP)	
	176 DO Home Health Care (IP)	
	177 DO Correctional Facility (IP)	
	180 Controlled Substances	
	183 Compounding	

11

Rule Number Order (RP)- DRAFT

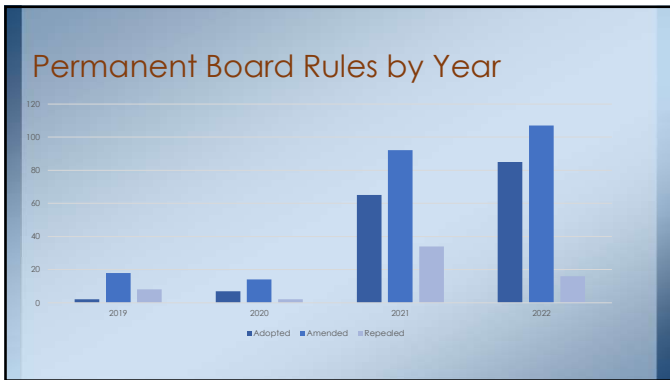
1 Purpose and Scope	300 Prescription: General Requirements	500 Policies & Procedures
5 Definitions	305 Prescription: Tamper Resistant	550 Records: General Requirements
10 Registration: General	310 Prescription: Authenticity	555 Records: Patient
15 Registration: Application	315 Prescription: Refills	600 Prohibited Practices: General
20 Registration: Change of Ownership	320 Prescription: Expiration	605 Prohibited Practices: Disclosure of
25 Registration: Change of Business	325 Prescription: Transfers	605 Patient Information
30 Non-Resident Pharmacies	350 Dispensing: Containers	650 Grounds for Discipline
50 Personnel	355 Dispensing: Customized Patient A Packages	700 Service: Non-Prescription Drugs- Double Set-Up
100 Security	400 Labeling: General Requirements	705 Service: Pharmacy Depots
120 Drug: Receipt	405 Labeling: Prescription Reader Access	710 Service: Epinephrine- Definitions
125 Drug: Storage	410 Labeling: Limited English Proficiency	715 Service: Epinephrine- General Requirements
130 Drug: Loss	415 Labeling: Repackaged Drugs	720 Service: Naloxone- General Requirements
150 Outlet: Sanitation	450 Drug and Devices: Disposal	725 Service: Expedited Partner Therapy Requirements
155 Outlet: Minimum Equipment	455 Drug and Devices: Return	730 Service: Expedited Partner Therapy (EPT)- Purpose
200 Outlet: General Requirements	460 Drug and Devices: Take-back Program	730 Service: Expedited Partner Therapy (EPT) - Procedures
205 Outlet: Technology		
210 Outlet: Supervision		
215 Outlet: Pharmacist Utilization		
220 Outlet: Non-Prescription Drugs		
225 Outlet: Controlled Substances		
230 Outlet: Non-Sterile Compounding		

12

Rule Number Order Licensees/Licensure- DRAFT

RPH		COPT/PT	
1	Applicability	1	Applicability
5	Definitions	5	Definitions
10	Licensure: Qualifications: RPH- General	10	Licensure: Qualifications: COPT or PT- General
15	Licensure: Qualifications: RPH- Foreign Pharmacy Graduates		
20	Licensure: Qualifications: RPH- Exam or Score Transfer		
25	Licensure: Qualifications: RPH- Reciprocity		
30	Licensure: Application: RPH	30	Licensure: Application: COPT or PT
35	Licensure: Renewal or Reinstatement: RPH	35	Licensure: Renewal or Reinstatement: COPT or PT
40	Licensure: Lapse	40	Licensure: Lapse
45	Licensure: Retirement		
50	Licensure: Voluntary Surrender	50	Licensure: Voluntary Surrender
60	Registration: Qualifications: In-State Volunteer RPH		
65	Notification: Out-of-State Volunteer RPH		
70	Notification: Nuclear RPH		

13



14



15

How a Law or Policy Directive Becomes a Rule

- STEP 1 • **Initiating Event**, such as a new law or ongoing problem identified
- STEP 2 • **Analysis of Issue**, including research, stakeholder landscape, gathering data
- STEP 3 • **Draft Proposed Rule**, based on input and other directives
- STEP 4 • **Board Discussion**, seek consensus in public session for specific directive, focused on safety
- STEP 5 • **Rulemaking**, public comment, Rules Advisory Committee input, Rulemaking Hearing
- STEP 6 • **Adoption**, board adopts rule by motion in public session, notify interested parties
- STEP 7 • **Implementation**, assessment of compliance

Steps 3 & 4 are repeated as necessary to build consensus

16

Legislative Sessions


Several Senate Bills (SB) and House Bills (HB) impacting Oregon pharmacy happen during each session. Some bills require the board to write new rules.

- 2019: Limited English Proficiency labeling, Cultural Competency CE, Drug Take Back, PDMP
- 2021: PDMP Fees, Pain CE, Interpreters, PSE, PrEP, Board compensation, PAs, Telepharmacy
- 2022: PSE (interns), Telepharmacy, Final Verification
- 2023: TBD- [HB 2278](#), [HB 2395 A](#), [HB 2486](#), [HB 3070](#), [SB 410](#), [SB 411](#), [SB 1085](#)

Ongoing communications concerning rulemaking are sent to licensees via list-serv and are available on the OBOP website

17

June 2022– Adopted Rules Part I



The board permanently adopted the following rules at the June 2022 Board Meeting:

- [Standards Adopted by Reference & Definitions](#) *Effective 6/16/2022
- [Certified Oregon Pharmacy Technician/Pharmacy Technician Final Verification](#) *Effective 6/16/2022
- [Interpreters](#) *Effective 9/1/2022
- [Pharmacy Prescription Lockers](#) *Effective 6/16/2022
- [Pharmacist Prescriptive Authority - Tobacco Cessation & PrEP](#) *Effective 6/16/2022

18

OAR 855-010-0021
Adoption by Reference

(1) The board adopts standards and other publications by reference, as necessary, through administrative rule. When a matter is included in a referenced publication that is in conflict with Oregon Revised Statutes or Oregon Administrative Rules, the statute or rule applies and the standard provision does not. All remaining parts or application of the standard remain in effect.

(2) All outside standards, statutes, rules and publications referred to in any rules adopted by the board are by those references made a part of those rules as though fully set forth. Copies are available for inspection in the office of the Board of Pharmacy.

Statutory/Other Authority: ORS 689.205
Statutes/Other Implemented: ORS 689.205

19

Final Verification- Technicians
2022 HB 4034 -> ORS 689.XXX

SECTION 24. (1) As used in this section, "final verification" means, after prescription information is entered into a pharmacy's electronic system and reviewed by a pharmacist for accuracy, **a physical verification** that the **drug and drug dosage**, device or product selected from a pharmacy's inventory pursuant to the electronic system entry is the prescribed **drug and drug dosage**, device or product.

(2) A pharmacist may delegate, and a pharmacy technician may perform under the supervision of the pharmacist, final verification. In delegating final verification under this section, a pharmacist shall use the pharmacist's reasonable professional judgment and shall ensure that the final verification does not require the exercise of discretion by the pharmacy technician.

20

OAR 855-006-0005
Definitions

(19) "**Final verification**" means after prescription information is entered into a pharmacy's electronic system and reviewed by a Pharmacist for accuracy, a physical verification that the drug and drug dosage, device or product selected from a pharmacy's inventory pursuant to the electronic system entry is the prescribed drug and drug dosage, device, or product.

(56) "Verification" means the confirmation by the Pharmacist of the correctness, exactness, accuracy and completeness of the acts, tasks, or functions performed by an Intern, a Certified Oregon Pharmacy Technician, or a Pharmacy Technician.

21

OAD 855-025-0023
COPT and PT: General Responsibilities

- (4) A Certified Oregon Pharmacy Technician or Pharmacy Technician may perform **final verification** of the drug and dosage, device or product when:
 - (a) The Pharmacist utilizes reasonable professional judgment to determine that a Certified Oregon Pharmacy Technician or Pharmacy Technician may perform **final verification**;
 - (b) No discretion is needed;
 - (c) The Pharmacist delegating **final verification** is supervising the Certified Oregon Pharmacy Technician or Pharmacy Technician; and
 - (d) The Certified Oregon Pharmacy Technician or Pharmacy Technician is performing a physical **final verification**.

22

OAD 855-019-0200
Pharmacist: General Responsibilities

- (5) A Pharmacist may delegate **final verification** of drug and dosage form, device, or product to a Certified Oregon Pharmacy Technician or Pharmacy Technician per ORS 689.005 when the following conditions are met:
 - (a) The Pharmacist utilizes reasonable professional judgment to determine that a Certified Oregon Pharmacy Technician or Pharmacy Technician may perform **final verification**;
 - (b) The Certified Oregon Pharmacy Technician or Pharmacy Technician does not use discretion in conducting **final verification**;
 - (c) The Pharmacist delegating **final verification** is supervising the Certified Oregon Pharmacy Technician or Pharmacy Technician; and
 - (d) Ensure the Certified Oregon Pharmacy Technician or Pharmacy Technician is performing a physical **final verification**.

23

OAD 855-041-1040
Outlet: Policies & Procedures

- (2) The written policies and procedures must include at a minimum the responsibilities of the drug outlet pharmacy including:
 - (i) Certified Oregon Pharmacy Technician or Pharmacy Technician **final verification**, if utilized;

24

Interpretation 2021 HB 2359 (in ORS 413)

- Counseling OAR 855-019-0230(1)(g)
- For a patient who prefers to communicate in a language other than English or who communicates in signed language, Pharmacist must counsel utilizing an OHA registered interpreter unless the Pharmacist is proficient in the patient's preferred language.
- Dispensing: Interpretation OAR 855-041-1133
- For a patient who prefers to communicate in a language other than English or who communicates in signed language, Pharmacist/Intern must work with OHA registered interpreter unless the Pharmacist is proficient in the patient's preferred language.
 - Exceptions: Good faith effort or patient declined
 - Must provide PPE to interpreter if in-person
 - Must maintain records for each patient encounter
 - OHA registry interpreter: interpreter full name, registry number, and language interpreted
 - Good faith effort
- Patient Medical Record OAR 855-041-1165
- Patient's preferred language for communication and prescription labeling

25

OAR 855-143 Pharmacy Prescription Lockers

• Effective 6/16/2022

855-143-0001 Purpose and Scope	855-143-0150 Outlet: Sanitation	
855-143-0005 Definitions	855-143-0155 Outlet: Minimum Equipment Requirements	
855-143-0010 Registration: General	855-143-0200 Outlet: General Requirements	
855-143-0015 Registration: Application	855-143-0205 Outlet: Technology	
855-143-0020 Registration: Change of C	855-143-0210 Outlet: Supervision	
855-143-0025 Registration: Closure	855-143-0215 Outlet: Pharmacist Utilization	
855-143-0030 Non-Resident PPL Affiliat	855-143-0220 Outlet: Non-Prescription Drugs and Supplies	
855-143-0050 Personnel	855-143-0225 Outlet: Controlled Substances	
855-143-0100 Security	855-143-0345 Dispensing: General	855-143-0550 Records: General Requirements
855-143-0120 Drug Procurement	855-143-0500 Policies and Procedur	855-143-0600 Prohibited Practices: General
855-143-0125 Drug Storage	855-143-0550 Records: General Req	855-143-0602 Prohibited Practices: Disclosure of Patient Information
855-143-0130 Drug Loss		855-143-0650 Grounds for Discipline



26

Public Health Pharmacy Formulary Advisory Committee (PHPFAC) Updates

- Protocol compendium currently includes:
 - Continuation of Therapy
 - Cough & Cold:
 - Benzonalcaine
 - Intranasal Corticosteroids
 - Pseudoephedrine
 - Short Acting Beta-Agonists (SABAs)
 - Conditions:
 - COVID-19 Antigen Self-Test
 - COVID-19 Antiviral
 - COVID mAb (Monoclonal Antibodies)
 - Vulvovaginal Candidiasis (VVC)
 - Preventative Care
 - Condoms: Male and Female
 - Contraception *NEW* Effective 2/1/2023
 - Emergency Contraception
 - Tobacco Cessation - NRT (Nicotine Replacement Therapy) and Non-NRT
 - Travel Medications
 - Travel Medications *Effective 2/1/2023
 - HIV Pre-Exposure Prophylaxis (PrEP)
 - PrEP *Effective 2/1/2023
 - HIV Post-Exposure Prophylaxis (PEP)
 - PEP *Effective 2/1/2023

27

June 2022– Adopted Rules Part II



The board permanently adopted the following rules at the June 2022 Board Meeting:

- [Public Health Emergency Sunset](#) *Effective 6/16/2022
- [Telework](#) *Effective 6/16/2022
- [Permanent Pharmacy Closure Requirements](#) *Effective 6/16/2022
- [Pseudoephedrine/Ephedrine & Interns](#) *Effective 6/16/2022
- [Drug Outlet Categories](#) *Effective 6/16/2022
- [RDSP](#) *Effective 6/16/2022

28

OR 855-041-3200 to 855-041-3250 Telework

- 855-041-3200 Telework: Purpose and Scope
- 855-041-3205 Telework: Definitions
- 855-041-3210 Telework: Registration
- 855-041-3215 Telework: General Requirements
- 855-041-3220 Telework: Supervision Requirements
- 855-041-3225 Telework: Confidentiality
- 855-041-3230 Telework: Technology
- 855-041-3235 Telework: Personnel
- 855-041-3240 Telework: Environment and Security
- 855-041-3245 Telework: Policies and Procedures
- 855-041-3250 Telework: Records

- (1) "Telework" means the practice or assistance in the practice of pharmacy physically located outside of a registered drug outlet when working as an employee of an Oregon registered drug outlet in a telework site.
- (2) "Telework Site" means a location that is not a registered drug outlet where an Oregon licensed Pharmacist may practice pharmacy and an Intern or Certified Oregon Pharmacy Technician may assist in the practice of pharmacy as employees of an Oregon registered drug outlet.

29

OR 855-041-1092 Retail Drug Outlet Pharmacy Closures: Temporary, Permanent or Emergency

- (1) Temporary
 - Post notification of closure- entrances, telephone greeting, internet
 - Provide patients with alternative options to receive prescription
 - Board notification
- (2) Permanent
 - Provide patients with notification of closure 15 calendar days prior to closure
 - Disposition of Rx and non-Rx drugs, devices and related supplies
 - Disposition of records
 - Lists for items to be completed prior to, on the date of/within 24 hours and within 30 days
- (3) Emergency
 - Follow temporary closure rules as soon as allowed by circumstances

30

2022 HB 4034 -> ORS 475.230 Pseudoephedrine + Interns

SECTION 1. ORS 475.230 is amended to read: 475.230. (1) As used in this section, "intern," "pharmacist," "pharmacy" and "pharmacy technician" have the meanings given those terms in ORS 689.005.

(2) A pharmacist, **intern** or pharmacy technician may transfer a drug containing pseudoephedrine or ephedrine or a salt, isomer or salt of an isomer of pseudoephedrine or ephedrine without a prescription from a practitioner to a person who is 18 years of age or older and who provides to the pharmacist, intern or pharmacy technician the person's valid government-issued photo identification.

31

2021 SB 629 & 2022 HB 4034 -> ORS 689.700 Telepharmacy (Remote Dispensing Site Pharmacies)

SECTION 2.
As used in this section, "telepharmacy" means the delivery of pharmacy services by a pharmacist, through the use of a variety of electronic and telecommunications technologies, to a patient at a remote location staffed by a pharmacy technician.

- (1) The pharmacy services for which a pharmacist may use telepharmacy include the supervision of the dispensation of prescription drugs to a patient.
- (2) The remote location at which a patient receives pharmacy services through the use of telepharmacy must be affiliated with the pharmacy where the pharmacist providing the pharmacy services through telepharmacy regularly engages in the practice of pharmacy.
- (3) The State Board of Pharmacy shall adopt rules to carry out this section. The rules adopted under this section must include rules:
 - (a) Regarding remote supervision of a pharmacy technician in order to facilitate the use of telepharmacy; and
 - (b) Describing the pharmacy services that a pharmacist may provide through telepharmacy

32

OAR 855-139 Remote Dispensing Site Pharmacy

• Effective 1/1/2022

855-139-0001 Purpose and Scope	855-139-0150 Outlet: Sanitation	855-139-0350 Dispensing: Containers
855-139-0005 Definitions	855-139-0155 Outlet: Minimum Equipment Requirements	855-139-0355 Dispensing: Customized Patient Medication Packages
855-139-0010 Registration: General	855-139-0200 Outlet: General Requirements	855-139-0400 Labeling: General Requirements
855-139-0015 Registration: Application	855-139-0205 Outlet: Technology	855-139-0405 Labeling: Prescription Reader Accessibility
855-139-0020 Registration: Change of Owner, Location,	855-139-0210 Outlet: Supervision	855-139-0410 Labeling: Limited English Proficiency and Accessibility
855-139-0025 Registration: Change of Business Name or	855-139-0215 Outlet: Pharmacist Utilization	855-139-0455 Drugs and Devices: Disposal
855-139-0030 Non-Resident Affiliated Pharmacies	855-139-0220 Outlet: Non-Prescription Drugs	855-139-0460 Drugs and Devices: Return
855-139-0050 Personnel	855-139-0225 Outlet: Controlled Substances	855-139-0465 Drugs and Devices: Take-back Program
855-139-0100 Security	855-139-0230 Outlet: Non-Sterile Compounding	855-139-0500 Policies and Procedures
855-139-0120 Drug: Procurement	855-139-0300 Prescription: General Requirements	855-139-0555 Records: General Requirements
855-139-0125 Drug: Storage	855-139-0305 Prescription: General Requirements	855-139-0600 Prohibited Practices: General
855-139-0130 Drug: Loss	855-139-0305 Prescription: Tamper-resistant	855-139-0602 Prohibited Practices: Disclosure of Patient Information
	855-139-0310 Prescription: Verification of Authenticity	855-139-0650 Grounds for Discipline
	855-139-0315 Prescription: Refills	855-139-0700 Service: Epinephrine-Definitions
	855-139-0320 Prescription: Expiration	855-139-0715 Service: Epinephrine-General Requirements
	855-139-0325 Prescription: Transfers	855-139-0720 Service: Naloxone-General Requirements
		855-139-0725 Service: Expedited Partner Therapy (EPT)-Purpose
		855-139-0730 Service: Expedited Partner Therapy (EPT)-Procedures

33

Other June 2022 Rules

- [Public Health Emergency Sunset](#) *Effective 6/16/2022
 - OAR 855-031-0026 Ratio & Supervision
 - (2) A preceptor may not supervise more than two Interns simultaneously during a shift at an SRI site where patient specific recommendations for care or medications are provided without prior written authorization of the board. Through the 2020-2021 academic year, a preceptor may monitor as many interns as they believe in their professional judgement is appropriate to achieve desired experiential outcomes for non-direct patient care learning opportunities only, while also preserving and assuring patient safety. The preceptor must retain documentation of all interns monitored during this timeframe.
- [Drug Outlet Categories](#) *Effective 6/16/2022
 - OAR 855-110-0007 Fees for Registration, Renewal, and Reinspection of Drug Outlets

34

December 2022- Adopted Rules Part I



The board permanently adopted the following rules at the December 2022 Board meeting:

- [2022 HB 4034 Duties of a Pharmacist](#) *Effective 12/21/2022
 - Telemedicine bill changing ORS 677.135 to permit care via telemedicine
 - OAR 855-019-0210 Duties of the Pharmacist Receiving a Prescription
 - (a) Using professional judgment in dispensing only pursuant to a valid prescription. A Pharmacist must not dispense a prescription if the Pharmacist, in their professional judgment, believes that the prescription was issued without a valid patient-practitioner relationship. In this rule, the term practitioner includes a clinical associate of the practitioner or any other practitioner acting in the practitioner's absence. The prescription must be issued for a legitimate medical purpose by an individual practitioner acting in the usual course of their professional practice and ~~not result solely from a questionnaire or an internet-based~~ issued pursuant to a valid patient-practitioner relationship; and

35

December 2022- Adopted Rules Part I



The board permanently adopted the following rules at the December 2022 Board meeting:

- [2022 HB 4034 Prohibited Practices](#) *Effective 12/21/2022
 - OAR 855-139-0600 Prohibited Practices: General
 - (3) Deliver a prescription;
- [2022 HB 4096 Out-of-state Volunteer Pharmacist](#) *Effective 12/21/2022
 - OAR 855-019-0124 Notification: Out-of-State Volunteer Pharmacist
- [Drug Distribution Agent](#) *Effective 12/21/2022
 - OAR 855-062-0020 Registration

36

December 2022– Adopted Rules Part II



The board permanently adopted the following rules at the December 2022 Board meeting:

- [Pharmacist Prescriptive Authority](#) *Effective 2/1/2023
- [Continuing Pharmacy Education](#) *Effective 7/1/2023
- [Pharmacy Prescription Kiosk \(PPK\)](#) *Effective 2/15/2023
- [Definitions](#) *Effective 12/21/2022
- [Prescription Labeling Expiration Date](#) *Effective 12/21/2022

37

Public Health Pharmacy Formulary Advisory Committee (PHPFAC) Updates

- OAR [855-020-0110](#) Prescribing Practices
 - (6) If consultation is provided through an electronic means, the Oregon licensed Pharmacist must use real-time audio-visual communication to conduct the consultation. Protocol compendium currently includes:
 - [Continuation of Therapy](#)
 - Cough & Cold:
 - Benzocaine
 - Inhaled Corticosteroids
 - Pseudoephedrine
 - Short Acting Beta-Agonists (SABAs)
 - Conditions:
 - COVID-19 Antigen Self-Test
 - COVID-19 Antiviral
 - COVID mAb (Monoclonal Antibodies)
 - Vulvovaginal Candidiasis (VVC)
 - Preventative Care
 - [Condoms](#): Male and Female
 - [Contraception](#) *NEW* Effective 2/1/2023
 - Emergency Contraception
 - Tobacco Cessation - NRT (Nicotine Replacement Therapy) and Non-NRT
 - [Travel Medications](#)
 - [Travel Medications](#) *Effective 2/1/2023
 - HIV Pre-Exposure Prophylaxis (PrEP)
 - [PrEP](#) *Effective 2/1/2023
 - HIV Post-Exposure Prophylaxis (PEP)
 - [PEP](#) *Effective 2/1/2023

38

OAR [855-020](#) Pharmacist Prescriptive Authority

- OAR [855-020-0110](#) Prescribing Practices
 - (6) If consultation is provided through an electronic means, the Oregon licensed Pharmacist must use real-time audio-visual communication to conduct the consultation.

39

OAR 855-135: Continuing Pharmacy Education – effective 7/1/2023

What's IN

- Education that includes defined:
 - learning objectives
 - qualified instructors
 - learning assessment
 - program evaluation
- ACPE or board-approved programs
- ACCME AMA Category 1 programs
- Policy discussion at OBOP meeting
- For board-approved programs
 - Applications submitted 45 days in advance

What's OUT

- Welcoming remarks;
- Meals or social functions;
- Business sessions
- Unstructured discussion, Q/A
- Degree programs;
- Non-ACPE approved certificate programs;
- Licensing or certification examinations;
- Skills training programs;
- Software training programs;
- Learning assessments;
- Program evaluations; and
- Attending CPE programs for which credit was not granted by the provider.
- For board approved-programs
 - Post program approvals

40


OAR 855-135: Continuing Pharmacy Education – effective 7/1/2023

- Applications for Program Approval
 - New board-approval application
- Instructors' Credit Toward CPE Hours
 - 2 hours per 1 hour spent delivering the program x1
 - Max 10 hours per renewal cycle
- Requirements for License Renewal (RPH, Intern, COPT & PT)
 - Must register with the CPE Monitor for tracking completed ACPE credit hours.
 - For each ACPE-approved program, the licensee must ensure that licensee program completion CPE credit was recorded in the CPE Monitor.
 - For each board-approved or ACCME accredited program, the licensee must ensure that licensee program completion CPE credit was recorded in the CPE Monitor or uploaded to the licensee's electronic licensing record with the board prior to submission of the license renewal.
 - Retain documentation of completed CPE for 6 years and must provide this documentation if requested by the board.

41

OAR 855-141 Pharmacy prescription Kiosks

Effective 2/15/2023



855-141-0001 Purpose and Scope	855-141-0145 Outlet: Closure	855-141-0345 Dispensing: General Requirements
855-141-0005 Outfitting	855-141-0150 Outlet: Sanitation	855-141-0350 Dispensing: Containers
855-141-0010 Registration: General	855-141-0155 Outlet: Minimum Equipment Requirements	855-141-0400 Labeling: General Requirements
855-141-0015 Registration: Application	855-141-0200 Outlet: General Requirements	855-141-0405 Labeling: Prescription Reader Accessibility
855-141-0020 Registration: Change of Physical Address or Location	855-141-0205 Outlet: Technology	855-141-0410 Labeling: Limited English Proficiency and Accessibility
855-141-0030 Non-Resident PFK-Affiliated Pharmacies	855-141-0210 Outlet: Supervision	855-141-0450 Drugs and Devices: Disposal
855-141-0050 Personnel	855-141-0215 Outlet: Pharmacy Utilization	855-141-0455 Drugs and Devices: Return
855-141-0100 Security	855-141-0225 Outlet: Controlled Substances	855-141-0500 Policies and Procedures
855-141-0120 Drug Procurement	855-141-0300 Prescription: General Requirements	855-141-0550 Records: General Requirements
855-141-0125 Drug Storage	855-141-0305 Prescription: Temper-resistant	855-141-0555 Records: Patient
855-141-0130 Drug Loss	855-141-0310 Prescription: Verification of Authenticity	855-141-0600 Prohibited Practices: General
	855-141-0315 Prescription: Refills	855-141-0605 Prohibited Practices: Disclosure of Patient Information
	855-141-0320 Prescription: Expiration	855-141-0630 Grounds for Discipline
	855-141-0325 Prescription: Transfers	

42

Definitions

- OAR [855-006-0005](#) Definitions
 - Moved INTO Div 006: Drug Regimen Review
 - Amended: Supervision by a Pharmacist
 - New:
 - Certified Health Care Interpreter
 - Custodian of Pharmacy Records
 - Good Standing
 - Final Verification
 - Health Care Interpreter
 - Health Care Interpreter Registry
 - Individual with Limited English Proficiency
 - Pharmacist
 - Reasonable Professional Judgment
- OAR [855-019-0110](#)
 - Removed FROM of Div 019 (Duplicates of Div 006 or ORS 689): Clinical Pharmacy Agreement, Collaborative Drug Therapy Management, Drug Utilization Review, Medication Therapy Management, Practice of Clinical Pharmacy, Practice of Pharmacy
 - Moved INTO Div 006: Drug Regimen Review

43

Other Dec 2022 Rules

The board permanently adopted the following rules at the December 2022 Board meeting:

- [Prescription Labeling Expiration Date](#) *Effective 12/21/2022
 - OAR [855-041-1130](#)

(10) An expiration date after which the patient should not use the drug or medicine. Expiration dates on prescriptions must be the same as that on the original container or one year from the date the drug was originally dispensed and placed in the new container, whichever date is earlier. **not exceed:**

(a) That on the manufacturer's container if dispensed in the manufacturer's container;
or (b) the earliest date of either:
(A) The manufacturer's expiration date; or
(B) One year from the date the drug was repackaged and dispensed.

44

February 2023– Adopted Rules



The board permanently adopted the following rules as the February 2023 Board meeting:

- [Safe Pharmacy Practice Conditions: RPH Autonomy, Outlet Requirements](#) *Effective 2/14/2023
- [Pharmacy Prescription Kiosk \(PPK\) Registration Fee](#) *Effective 2/15/2023
- [Definitions](#) *Effective 2/14/2023

45

Hot Topics



49

Cultural Competency CE

- Effective 7/1/2021
- Complete 2 hours of continuing education related to cultural competency during each biennial license renewal cycle.
 - Approved by the Oregon Health Authority under ORS 413.450
 - OHA [Cultural Competence Continuing Education \(CCCE\)](#)
 - ~~OR~~
 - Any cultural competency CPE
- Enforcement of this requirement begins with the CE period beginning
 - 7/1/2021 – 6/30/2023 for Pharmacists
 - 12/1/2021 – 11/30/2023 for Interns
 - 7/1/2023 – 6/30/2024 for COPTs and PTs
- Submit this certificate to the board using your e-Gov profile
 - See article #689 in the board's September 2022 [newsletter](#) for more information.

50


Pain Management CE for RPH

- OAR [855-019-0120](#) Licensure
 - (1) Before licensure as a pharmacist, an applicant must meet the following requirements:
 - (e) Complete one hour of continuing pharmacy education in pain management, provided by the Pain Management Commission of the Oregon Health Authority.
- OAR [855-021-0001](#) Definitions
 - (5) "Pain management education program" means a specific one hour web-based program developed by the Pain Management Commission of the Oregon Health Authority.
- OAR [855-021-0005](#) Continuing Pharmacy Education Required for Pharmacist License Renewal
 - (1) During the period from July 1 through June 30 of each biennial license renewal cycle, a pharmacist must have satisfactorily completed at least 30 hours of continuing pharmacy education. These hours must include at least:
 - (a) One hour of continuing pharmacy education in pain management, provided by the Pain Management Commission of the Oregon Health Authority; and

51

OHA Pain Management CE

[Link to the CE](#)



Target Audience
This course has been developed for physicians and all other healthcare professionals. The educational module qualifies as the web-based pain management training offered by the Oregon Pain Management Commission.

52

Rulemaking

<p>April 14, 2023</p> <ul style="list-style-type: none"> • Temporary Rule: USP 	<p>July 19, 2023</p> <ul style="list-style-type: none"> • Pharmacists- Procedural Rule Review • Intern- Procedural Rule Review • Technicians- Procedural Rule Review • Board Administration and Policies- Procedural Rule Review • Procedural and Universal Rules
<p>May 23, 2023</p> <ul style="list-style-type: none"> • Self Inspection Forms July 1 • Adopted Standards by Reference • COVID Antiviral/mAb with PHPFAC 2023 Review 	

53

We need to hear from you!

- Participate in a Rules Advisory Committee
- [Sign up](#) for rulemaking notices
- Watch for notice of [proposed rulemaking](#) & respond!
 - Send in your written comments
 - Voice your comments during rulemaking hearing
- NOTE: Comments made outside of the rulemaking comment period




Photo by Pavel Danilyuk from Pexels

54

Prescriptive Authority

Statutory & Public Health & Pharmacy Formulary Advisory Committee (PHPFAC)



55

How a Law or Policy Directive Becomes a Rule

- STEP 1 • **Initiating Event**, such as a **new law** or **ongoing problem** identified
- STEP 2 • **Analysis of Issue**, including research, stakeholder landscape, gathering data
- STEP 3 • **Draft Proposed Rule**, based on input and other directives
- STEP 4 • **Board Discussion**, seek consensus in public session for specific directive, focused on safety
- STEP 5 • **Rulemaking**, public comment, Rules Advisory Committee input, Rulemaking Hearing
- STEP 6 • **Adoption**, Board adopts rule by motion in public session

Steps 3 & 4 are repeated as necessary to build consensus

56

How a Concept becomes a Formulary/Protocol Rule

- STEP 1 • **Initiating Event**, **RPH submits concept intake form**
- STEP 2 • **Analysis of Issue**, including research, stakeholder landscape, gathering data
- STEP 3 • **Draft Concept**, based on input and other directives
- STEP 4 • **PHPFAC Discussion**, seek consensus in public session, make recommendation to Board
- STEP 5 • **Board Discussion**, seek consensus in public session for specific directive, focused on safety
- STEP 6 • **Rulemaking**, public comment, Rules Advisory Committee input, Rulemaking Hearing
- STEP 7 • **Adoption**, Board adopts rule by motion in public session

Steps 3, 4 & 5 are repeated as necessary to build consensus

57

Compliance / Enforcement



61

Compliance / Enforcement

- Supervision, Direction and Control
- Judgment and Verification
- Limited English Proficiency: Dual Language Labels
- Compliance Officer on Duty

62

Supervision, Direction and Control

ORS [689.225\(4\)](#)

(4) The State Board of Pharmacy shall adopt rules relating to the use of pharmacy technicians working under the supervision, direction and control of a pharmacist. For retail and institutional drug outlets, the board shall adopt rules which include requirements for training, including provisions for appropriate on-the-job training, guidelines for adequate supervision, standards and appropriate ratios for the use of pharmacy technicians. Improper use of pharmacy technicians is subject to the reporting requirements of ORS 689.455.

ORS [689.486\(6\)](#)

(6) A person licensed to perform the duties of a pharmacy technician may perform the duties of a pharmacy technician only under the supervision, direction and control of a licensed pharmacist.

63

Supervision, Direction and Control

OAR [855-006-0005](#)

(33) "Supervision by a pharmacist" means being stationed within the same work area, except as authorized under OAR 855-041-3200 through OAR 855-041-3250, as the Pharmacy Technician or Certified Oregon pharmacy Technician being supervised, coupled with the ability to control and be responsible for the pharmacy technician or certified Oregon pharmacy technician's action. During the declared public health emergency timeframe related to the 2020 COVID-19 pandemic, "supervision by a pharmacist" means pharmacist monitoring of a pharmacy technician or intern being supervised, coupled with the ability to control and be responsible for the technician or interns actions and for the following remote processing functions only: prescription or order entry, other data entry, and insurance processing of prescriptions and medication orders.

64

Supervision, Direction and Control

OAR [855-025-0025](#)

(2) Pharmacy Technicians or Certified Oregon Pharmacy Technicians must be supervised by a Pharmacist.

OAR [855-025-0040](#)

(2) Only persons licensed with the Board as a Pharmacy Technician or Certified Oregon Pharmacy Technician, acting in compliance with all applicable statutes and rules and under the supervision of a Pharmacist, may assist in the practice of pharmacy...

65

Judgment and Verification

OAR [855-025-0040](#)

(3) In order to protect the public, safety, health and welfare, Pharmacy Technicians or Certified Oregon Pharmacy Technicians shall not:

(e) Perform any task that requires the professional judgment of a Pharmacist:

OAR [855-025-0025](#)

(4) Work performed by Pharmacy Technicians and Certified Oregon Pharmacy Technicians assisting the Pharmacist to prepare medications must be verified by a Pharmacist prior to release for patient use. Verification must be documented, available and consistent with the standard of practice.

66

Compliance Officer on Duty

Each week, a compliance officer is assigned duty for the week.

Responsible for prioritizing and responding to compliance-related inquiries during the assigned week.

Please be aware that Board staff may not provide individualized legal advice on how the law applies to practice in the field; however, they may be able to highlight or point out regulations that may apply to an inquiry.

Pharmacy.compliance@bop.oregon.gov or 971-673-0001

70

Resources / Updates



71

Agency Communications

- Newsletters
 - February, May, August, November
 - [OAR 855-041-1035\(2\)](tel:5038550411035)
- GovDelivery
 - Automatically added based on license type
- Board Meeting Agendas
- Rulemaking/Adopted Rules notices
- Sign-up on the "Subscriptions" page



72

PIC Training

- Classes are available once monthly
 - Typically on the 3rd or 4th Tuesday of the month
 - Register [here](#)
- PICs should consider taking this class periodically to keep up on rules and current "hot topics".



Photo by [Christina Morillo](#) from [Pexels](#)

73

Question 1:

Per new statutes in 2022, after data verification, a pharmacist may delegate to a pharmacy technician (PT or COPT) the final verification of the: (Select all that apply)

- a) Physical product
- b) Expiration date
- c) Quantity
- d) Dosage
- e) Dosage form

74

Question 2:

When communicating with a patient who prefers to communicate in a language other than English or who communicates in signed language, the Pharmacist must do the following EXCEPT:

- a) Work with a health care interpreter (HCI) from OHA's HCI registry
- b) Refer to a HCI even if the pharmacist is fluent in the patient's preferred language
- c) Provide PPE at no cost to the HCI
- d) Maintain records of the first and last name of the HCI

75

Question 3:

In order to improve access to prescription medications in rural areas or areas of low pharmacy availability, which of the following may be utilized (choose all that apply)?

- a) Remote Dispensing Site Pharmacy
- b) Drug Room
- c) Pharmacy Prescription Kiosk
- d) Pharmacy Prescription Locker
- e) Shared Pharmacy Service Agreement

76

Question 4:

Which category of continuing education will be the first (and so far, only) requirement for CE that must be completed by Interns when renewing their license?

- a) Pain Management
- b) Cultural Competency
- c) Patient Safety
- d) Medication Error Prevention
- e) Pharmacy Law

77



QUESTIONS

Contact us directly
 Phone: 971-673-0001
 Fax: 971-673-0002
 General Inquiries -
pharmacy.board@bop.oregon.gov
 Compliance Inquiries -
pharmacy.compliance@bop.oregon.gov
 Licensing Inquiries -
pharmacy.licensing@bop.oregon.gov

Photo by Sara Shimozaki from Pexels

78