

Summary of Proposed Changes to Board of Pharmacy Rules and Agency Bills

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For questions, contact:

Alex J. Adams

208-789-4964

Alex.Adams@BOP.Idaho.gov

Rule Docket 27-0101-1801 – General Provisions

No changes

Rule Docket 27-0102-1802 – Licensure & Registration

No changes

Rule Docket 27-0103-1801 – Pharmacy Practice

05. Prescriber-Authorized Substitution.

e. Prescriber-authorized substitution does not apply to biological products, ~~or~~ narrow therapeutic index drugs, or psychotropic drugs.

Rule Docket 27-0104-1802 – Pharmacist Prescriptive Authority

026. PHARMACIST PRESCRIBING TO SUPPLEMENT AN INFUSION ORDER.

06. ~~Emergency Kit Drugs~~ Additional Supplemental Drugs. Methylprednisolone, hydrocortisone, diphenhydramine, epinephrine, and normal saline.

Rule Docket 27-0105-1801 – Compounding

101. STERILE PRODUCT PREPARATION

05.d. An appropriate laminar airflow hood or other aseptic environmental control device such as a laminar flow biological safety cabinet, or a comparable compounding area when authorized by USP 797.

Legislative Proposal – Controlled Substance Act

37-2713. SCHEDULE V. (e) Approved cannabidiol drugs. (1) A drug product in finished dosage formulation that has been approved by the U.S. Food and Drug Administration that contains cannabidiol (2-[1R-3-methyl-6R-(1-methylethenyl)-2-cyclohexen-1-yl]-5-pentyl-1,3-

benzenediol) derived from cannabis and no more than 0.1 percent (w/w) residual tetrahydrocannabinols.

Legislative Proposal – Pharmacy Practice Act

54-1723B. MULTISTATE PRACTICE OF PHARMACY. Notwithstanding any provision of law to the contrary:

(1) As used in this section:

(a) “License” means a license, registration or other credential for the practice of pharmacy issued by the pharmacy licensing board of a state.

(b) “Multistate licensee” means a multistate pharmacist, multistate pharmacist intern, or multistate technician.

(c) “Multistate pharmacist” means a non-resident pharmacist licensed by a party state who is not otherwise licensed by the board.

(d) “Multistate practice of pharmacy” means the practice of pharmacy in or into Idaho, for a patient located in Idaho, by a multistate ~~pharmacist or multistate technician licensee~~, pursuant to the requirements of this section and the terms of a mutual recognition agreement.

(d) “Multistate pharmacist intern” means a non-resident pharmacist intern registered by a party state who is not otherwise registered by the board.

(d) “Multistate technician” means a non-resident certified technician licensed by a party state who is not otherwise registered by the board.

(d) “Mutual recognition agreement” means a written agreement entered into between the board and a party state allowing for the multistate practice of pharmacy, subject to the requirements of this section and any other reasonable and supplemental contract terms negotiated by the board and the party state.

(e) “Party state” means any pharmacy licensing board of a state that has entered a mutual recognition agreement with the board.

(f) “Primary state of residence” means the pharmacist’s declared primary state of residence, as evidenced by a valid state or federal identification card with a home address, or another form of identification as accepted by the Board.

(g) “State” means a state, territory or possession of the United States and the District of Columbia.

(2) The board may enter into mutual recognition agreements with one (1) or more party states provided that each party state:

(a) Has substantially similar requirements for pharmacist licensure, as required in section 54-1722, Idaho Code, or pharmacist intern and certified technician registration, as required by board rule, or both;

(b) Requires a fingerprint-based criminal history check prior to licensure that is substantially similar to the requirement in section 54-1718, Idaho Code; and

(c) Grants the same multistate practice privileges to Idaho pharmacists, registered pharmacist interns, or certified technicians, ~~or both~~, as Idaho grants to the party state’s pharmacist, certified technicians, or both, under like circumstances and conditions.

(3) A pharmacist license, pharmacist intern registration, or certified technician license, ~~or both~~, issued by a party state will be recognized by the board as permitting the multistate practice

of pharmacy in or into Idaho without a license or registration issued by the board provided the following conditions are met:

(a) The party state is the primary state of residence for the multistate ~~licensee pharmacist, multistate pharmacist intern, or multistate technician~~;

(b) The multistate ~~licensee pharmacist, multistate pharmacist intern, or multistate technician~~ holds an active license issued by a party state that is not currently suspended, revoked, canceled or otherwise restricted or conditioned in any manner; and

(c) The requirements specified in paragraphs (a) or (b) of this subsection must be met at all times by any multistate ~~licensee pharmacist, multistate pharmacist intern, or multistate technician~~ engaged in the multistate practice of pharmacy in or into Idaho.

(i) If such a multistate ~~licensee pharmacist, multistate pharmacist intern, or multistate technician~~ no longer meets the requirements in paragraph (a) above, the multistate ~~licensee pharmacist, multistate pharmacist intern, or multistate technician~~ must apply for licensure in the new primary state of residence prior to relocating to the new primary state of residence. If the pharmacist, ~~pharmacist intern~~, or technician's new primary state of residence is either Idaho or another party state, the pharmacist, ~~pharmacist intern~~, or technician may continue to practice until a new license is issued in the new primary state of residence.

(ii) If a multistate ~~licensee pharmacist, multistate pharmacist intern, or multistate technician~~ no longer meets the requirements in paragraph (b) above, the multistate ~~licensee pharmacist, multistate pharmacist intern, or multistate technician~~ must immediately cease engaging in the multistate practice of pharmacy in or into Idaho, unless the multistate ~~licensee pharmacist, multistate pharmacist intern, or multistate technician~~ obtains a license or registration issued by the board.

(4) A multistate ~~licensee pharmacist, multistate pharmacist intern, or multistate technician~~ engaged in the multistate practice of pharmacy in or into Idaho must comply with all laws governing the practice of pharmacy in the state of Idaho.

(5) If the board finds grounds for discipline exist, as set forth in section 54-1726, Idaho Code, or section 37-2718, Idaho Code, the board may impose upon the multistate practice privileges of a multistate ~~licensee pharmacist, multistate pharmacist intern, or multistate technician~~ any of the penalties set forth in section 54-1728, Idaho Code, or section 37-2718, Idaho Code. The board's imposition of any penalties shall be limited to the multistate practice privileges of a multistate ~~licensee pharmacist, multistate pharmacist intern, or multistate technician~~. Only the party state shall have the power to revoke, suspend or otherwise discipline a license issued by the party state.

(6) The board shall promptly notify a party state of any board action taken against the multistate practice privileges of a multistate ~~licensee pharmacist, multistate pharmacist intern, or multistate technician~~ licensed by the party state. The party state shall give the same priority and effect to reported conduct received from the board as it would if such conduct had occurred within the party state.

54-1729. REGISTRATION AND LICENSURE OF FACILITIES. (1) All drug or device outlets doing business in or into Idaho shall:

(a) If a nonresident, be licensed or registered and in good standing in the applicant's state of residence and, if a pharmacy, have a PIC who is registered by the board;

54-1733A. TRANSMISSION OF PRESCRIPTION DRUG ORDERS. A valid prescription drug order may be transmitted to a licensed pharmacy in accordance with federal law by the following means:

(1) By delivery of the original signed written prescription drug order or a digital image of the order:

(2) By a prescriber, prescriber's agent, or representative of an institutional facility or hospice:

(i) Electronically in compliance with the uniform electronic transactions act, [chapter 50, title 28](#), Idaho Code, or via a secure, interoperable information technology system that exchanges data accurately and in compliance with applicable laws;

(ii) Verbally; or

(iii) Via facsimile.

Commented [AA1]: Full replacement of 54-1733 as follows