

IDAPA 27 – BOARD OF PHARMACY

27.01.04 – RULES GOVERNING PHARMACIST PRESCRIPTIVE AUTHORITY

DOCKET NO. 27-0104-1802

NOTICE OF RULEMAKING – PROPOSED RULE

AUTHORITY: In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. The action is authorized pursuant to Section 54-1717, Idaho Code.

PUBLIC HEARING SCHEDULE: A public hearing concerning this rulemaking will be held as follows:

PUBLIC HEARING
Wednesday, October 24, 2018 – 1:00 p.m. (MDT)

Idaho State Capitol Building
Room WW53
700 W. Jefferson Street
Boise, ID 83702

Written comments received by October 15, 2018, will be included in the Board's distributed meeting materials for consideration. Written comments received between October 15, 2018, and October 24, 2018, will be printed and distributed to Board members at the meeting. For those planning to attend the open, public meeting, written and verbal comments will be accepted by and/or presented before the Board.

The hearing site will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

DESCRIPTIVE SUMMARY: The following is a nontechnical explanation of the substance and purpose of the proposed rulemaking:

This docket further implements House Bill 191, which passed the Idaho Legislature in 2017. In addition, during the 2018 rules review, members of the legislature suggested an edit to one of the rules as drafted, and this change was made via temporary rule and published in the June 2018 Administrative Bulletin. This docket would make the temporary rule permanent.

FEE SUMMARY: The following is a specific description of the fee or charge imposed or increased: N/A

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year as a result of this rulemaking: N/A

NEGOTIATED RULEMAKING: Pursuant to Section 67-5220(1), Idaho Code, negotiated rulemaking was conducted. The Notice of Intent to Promulgate Rules – Negotiated Rulemaking was published in the July 4, 2018, Idaho Administrative Bulletin, [Vol. 18-7, pages 160-161](#).

INCORPORATION BY REFERENCE: Pursuant to Section 67-5229(2)(a), Idaho Code, the following is a brief synopsis of why the materials cited are being incorporated by reference into this rule: N/A

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the proposed rule, contact Alex Adams, Executive Director, at 208-334-2356.

Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before October 24, 2018, as described above.

Dated this 30th day of August 2018.

Alex J. Adams, Pharm D, MPH
Executive Director
Board of Pharmacy
1199 W. Shoreline Ln., Ste. 303
P. O. Box 83720
Boise, ID 83720-0067
Phone: (208) 334-2356
Fax: (208) 334-3536

THE FOLLOWING IS THE PROPOSED TEXT OF DOCKET NO. 27-0104-1802
(Only Those Sections With Amendments Are Shown.)

021. PHARMACIST PRESCRIBING FOR MINOR CONDITIONS.

A pharmacist may prescribe any drug approved by the FDA, unless otherwise specified, that is indicated for the following conditions: ~~(7-1-18)~~()

- 01. Lice; (7-1-18)
- 02. Cold Sores; (7-1-18)
- 03. Motion Sickness Prevention; ~~and~~ ~~(7-1-18)~~()
- 04. Uncomplicated Urinary Tract Infections; ~~(7-1-18)~~()
- 05. Allergic Rhinitis. Prescribing is limited to intranasal drugs only; ()
- 06. Mild Acne. Prescribing is limited to topical drugs only; and ()
- 07. Mild Cough. Only benzonatate may be prescribed for cough suppression. ()

(BREAK IN CONTINUITY OF SECTIONS)

024. PHARMACIST PRESCRIBING FOR CLINICAL GAPS IN CARE.

A pharmacist may prescribe any drug approved by the FDA for the purposes of closing a gap in clinical guidelines as follows: (7-1-18)

- 01. **Statins.** Statins, for patients who have ~~a current prescription for a drug for~~ been diagnosed with diabetes; and ~~(7-1-18)~~()
- 02. **Short-Acting Beta Agonists.** Short-acting beta agonists (SABA), for patients with asthma who have had a prior prescription for a SABA, and who have a current prescription for a long-term asthma control medication. (7-1-18)

(BREAK IN CONTINUITY OF SECTIONS)

026. PHARMACIST PRESCRIBING TO SUPPLEMENT AN INFUSION ORDER.

A pharmacist may prescribe any of the following FDA approved drugs or devices to supplement a valid prescription drug order or institutional drug order for drugs intended to be administered to a patient via infusion; (7-1-18)

- 01. **Flush.** Heparin, in concentrations of one hundred (100) units per milliliter or less, and saline; (7-1-18)
- 02. **Devices.** Infusion pumps and other rate control devices; (7-1-18)
- 03. **Supplies.** Tubing, filters, catheters, intravenous (IV) start kits, central line dressing kits, and injection caps; ~~and~~ ~~(7-1-18)~~()
- 04. **Local Anesthetics for IV Port Access;** ~~(7-1-18)~~()
- 05. **Catheter Occlusion. Agents for catheter occlusion; and** ()
- 06. **Emergency Kit Drugs. Methylprednisolone, hydrocortisone, diphenhydramine, epinephrine, and normal saline.** ()