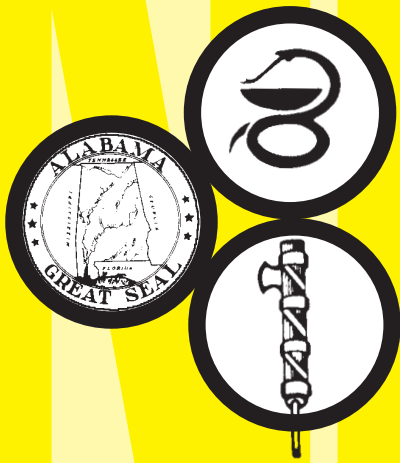


May 2003



Alabama State Board of Pharmacy

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Published to promote voluntary compliance of pharmacy and drug law.

The Following New Rule Becomes Effective April 4, 2003: 680-X-2-.30 Central Prescription Filling

- (1) Purpose. The purpose of this section is to provide standards for centralized prescription filling by a retail pharmacy.
- (2) Definitions. The following words and terms, when used in this section, shall have the following meanings, unless the context clearly indicates otherwise. Any term not defined in this section shall have the definition set out in the Act.
 - (a) ACT. The Code Alabama 1975, Title 34 Chapter 23, Practice of Pharmacy Act 205 and The Code of Alabama 1975, Title 20 Chapter 2, Alabama Uniform Controlled Substances Act 1407.
 - (b) CENTRAL PRESCRIPTION FILLING. The filling of a new or refilling of a prescription drug order by one pharmacy licensed by the Alabama State Board of Pharmacy at the request of another pharmacy licensed by the Alabama State Board of Pharmacy for delivery to the patient or patient's agent, pursuant to the lawful order of a practitioner.
 - (c) DISPENSE. To sell, distribute, administer, leave with, give away, dispose of, deliver, or supply a drug or medicine to the ultimate user or their agent.
- (3) Operational standards.
 - (a) General requirements.
 1. A retail pharmacy may outsource a prescription drug order filling to another retail pharmacy provided the pharmacies:
 - (i) Have the same owner; or
 - (ii) Have entered into a written contract or agreement which outlines the services to be provided and the responsibilities and accountabilities of each pharmacy in compliance with federal and state laws and regulations; and
 - (iii) Share a common electronic file or have appropriate technology or interface to allow access to sufficient information necessary or required to fill or process a prescription drug order.
 2. The supervising pharmacist of the filling pharmacy shall assure that:
 - (i) The pharmacy maintains and uses adequate storage or shipment containers and shipping processes to ensure drug stability and potency. Such shipping processes shall include the use of appropriate packaging material and/or devices to ensure that the drug is maintained at an appropriate temperature range to maintain the integrity of the medication throughout the delivery process; and
 - (ii) The filled prescriptions are shipped in containers, which are sealed in a manner as to show evidence of opening or tampering.
 - (iii) The filling pharmacy shall comply with the provisions of the Code of Alabama 1975, Title 34 Chapter 23, Practice of Pharmacy Act 205 and the Code of Alabama 1975, Title 20 Chapter 2, Alabama Uniform Controlled Substances Act 1407.
 3. Any filled prescription, which was not picked up, must be put into the dispensing pharmacy's inventory.
 4. No licensed pharmacist or central fill pharmacy operating within this state shall accept for re-

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fund purposes or otherwise any unused portion of any filled prescription.

5. Schedule I & II drugs may not be centrally filled.
- (4) Notification to patients. A pharmacy that outsources prescription filling to another pharmacy shall:
 - (a) Prior to outsourcing their prescription:
 1. Notify patients that their prescription may be outsourced to another pharmacy;
 2. Give the name of that pharmacy or if the pharmacy is part of a network of pharmacies under common ownership and any of the network pharmacies may fill the prescription, the patient shall be notified of this fact. Such notification may be provided through a one-time written notice to the patient or through use of a sign in the pharmacy.
 - (5) Prescription Labeling. The filling pharmacy shall:
 - (a) Place on the prescription label a 'Unique Identifier' of the pharmacy filling the prescription and name and address of the pharmacy that dispenses the filled prescription.
 - (b) Indicate in some manner which pharmacy filled the prescription (e.g., "Filled by ABC Pharmacy for XYZ Pharmacy"); and
 - (c) Comply with all other labeling requirements of federal and state statutes.
 - (6) Records:
 - (a) Records may be maintained in an alternative data retention system, such as a data processing system or direct imaging system provided:
 1. The records maintained in the alternative system contain all the information required on the manual record; and
 2. The State Board of Pharmacy and its drug inspectors shall enforce all provisions of this rule. Prescriptions, orders and records required by this chapter and stocks of controlled substances enumerated in Schedules I, II, III, IV, and V shall be open for inspection only to federal, state, county and municipal officers whose duty it is to enforce the laws of this state or of the United States relating to controlled substances. No officer having knowledge by virtue of his/her office of any such prescription, order or record shall divulge such knowledge, except in connection with a prosecution or proceeding in court or before a licensing board or officer, to which prosecution or proceeding the person to whom such prescriptions, orders or records relate is a party.
 3. Each pharmacy shall comply with all the laws and rules relating to the maintenance of records and be able to produce an audit trail showing all prescriptions filled or dispensed by the pharmacy.
4. The dispensing pharmacy shall maintain records which indicate the date:
 - (i) The request for filling was transmitted to the filling pharmacy; and
 - (ii) The filled prescription was received by the dispensing pharmacy and the name of the person accepting delivery.
5. The filling pharmacy shall maintain records which:
 - (i) Track the prescription drug order during each step in the filling process and identify the name(s), initials, or identification code(s) and specific activity(ies) of each pharmacist or pharmacy technician who performed any portion of the process including, transmission, filling, dispensing, or delivery; and
 - (I) Records which indicate;
 - (II) The date the prescription was shipped to the dispensing pharmacy;
 - (III) The name and address where the prescription was shipped; and
 - (IV) The method of delivery (e.g., private, common, or contract carrier).
- (7) Policies and Procedures. A policy and procedure manual as it relates to centralized filling shall be maintained at both the filling and dispensing pharmacies and be available for inspection. Each pharmacy is required to maintain only those portions of the policy and procedure manual that relate to that pharmacy's operations. The manual shall:
 - (a) Outline the responsibilities of each of the filling and dispensing pharmacies;
 - (b) Include a list of the name, address, telephone numbers, and all license/registration numbers of the pharmacies involved in centralized prescription filling; and
 - (c) Include policies and procedures for:
 1. Notifying patients that their prescription may be outsourced to another pharmacy for centralized prescription filling and the name of that pharmacy;
 2. Protecting the confidentiality and integrity of patient information;
 3. Dispensing prescription drug orders when the filled order is not received or the patient comes in before the order is received;
 4. Complying with federal and state laws and regulations;
 5. Operating a continuous quality improvement program for pharmacy services de-

signed to objectively and systematically monitor and evaluate the quality and appropriateness of patient care, pursue opportunities to improve patient care, and resolve identified problems.

6. Annually reviewing the written policies and procedures and documenting such review.

Author: Jerry Moore, R.Ph., J.D., Executive Director

Statutory Authority: Code of Alabama 1975, §34-23-92

History: Effective 4 April 2003

Administrative Hearings – January 2003 Through February 2003

Technician's name: **Sabrina D. Booth, #T06777.**

Dispensing controlled substances, Schedule III and IV, without a written or oral prescription of a practitioner. Action – revoked permanently.

Technician's name: **Tammy Young Harrison, #T02166.** Dispensing controlled substances, Schedule III and IV, without a written or oral prescription of a practitioner. Action – revoked permanently.

Technician's name: **Julie A. Minor, #T08684.** Dispensing controlled substances, Schedule III, without a written or oral prescription of a practitioner. Action – revoked permanently.

Pharmacist's name: **Stephen Mason Otis, #11915.** Florida pharmacist's license indefinitely suspended. Action – suspended for an indefinite period until such time as all issues with the Florida Board of Pharmacy have been resolved and license to practice pharmacy in Florida is in good standing.

Technician's name: **Michelle Nichole Price, #T03939.** Performing pharmacy functions and/or being present in prescription department without being registered as a pharmacy technician; by failing to register and pay a fee. Action – probation for three years; ordered to pay an administrative fine.

Technician's name: **Patrick Dewayne Vandergrift, #T03512.** Stealing cash from pharmacy. Action – permanently revoked.

Technician's name: **Brandy Payne Vodosa, #T00162.** Dispensing controlled substances, Schedule III and IV, without a written or oral prescription of a practitioner. Action – revoked permanently.

Technician's name: **Kristie Leigh Kilgore Shoemaker, #T05701.** Unlawful possession or by unlawfully obtaining by fraud, deceit, misrepresentation of subterfuge marijuana, ecstasy, and/or other illegal substances which are controlled substances, Schedule I. Action – permanently revoked.

Pharmacist's name: **Eric Judson Wing, #12530.** Dispensing controlled substances, Schedules II, III, and IV, without a written or oral prescription of a practitioner. Action – suspended five years;

such suspension shall revert to probation for five years immediately upon payment of \$3,000 fine.

Technician's name: **Tammy Lee Dawson, #T05326.**

Violated Board's Order of April 30, 2002, by testing positive for cocaine on random drug screen. Action – revoked and all future applications for renewal denied.

Non-resident Pharmacy: **Max Well Medical Pharmacy, LLC,** applicant for licensure. Felony conviction of owner. Action – granted a permit as a non-resident pharmacy; permit placed on probation for five years.

Pharmacist's name: **Jack Davis Scebra, #11012.**

Short continuing education credits for calendar year 2001. Action – suspended, immediately reverted to probation until administrative fine of \$500 paid and documentation of thirty-nine "live" hours submitted and approved by the Board, in addition to those required for subsequent years.

Pharmacist's name: **Timothy Earl Williamson, #13320.**

Short continuing education credits for calendar year 2001. Action – letter reminding him of the importance of following up on important correspondence.

Pharmacist's name: **Albert M. McGuffey, #9972.**

Conviction in Circuit Court of Theft of Property in the Third Degree. Action – Signed 'Consent Order' placing license on one year probation; administrative fine of \$500.

Technicians' names: **Kelli Shay Beaird, #T05696;**

Kelli Wilkinson Null, #T05919; Rachel Lynn

Reeves, #T09109; Jessica Marie Murphy,

#T08034; James William Herron, #T10728;

LouAnne Lang Trehern, #T10786; Performing

pharmacy functions and working as a pharmacy

technician without first having obtained an annual

registration. Action – signed "Consent Order;" as-

essed administrative fine of \$125.

Pharmacists' names: **Donnie Ray Calhoun, #11150;**

Stanley Forrest Reeves, #10410; Melinda K.

Spurlock, #12393; Terry Lynn Billingsley,

#10336; Douglas Gregg Hearon, #9019; Ronald

Garrett Lawrence, #12058; Kane Williams

Hale, #11629; Allowing a technician to perform

pharmacy functions and work as a pharmacy tech-

nician without a current registration. Action –

Signed "Consent Order;" assessed administrative

fine of \$250.

Pharmacies' names: **Golden Springs Pharmacy,**

#104630; F&F Drugs, #103750; Turenne

Pharmedco, Inc, #111311; Foodmax Super Cen-

ter Pharmacy #19, #110571; CVS/Pharmacy

#4782, #112005; Allowing technician to perform

pharmacy functions and work as a pharmacy tech-

nician without a current pharmacy technician reg-

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istration. Action – Signed “Consent Order;” assessed administrative fine of \$500.

Manufacturer/Wholesaler/Distributor’s name: **Medpath, #192012.** Engaging in activities as a manufacturer/wholesaler/distributor without having first renewed permit. Action – Signed “Consent Order;” assessed administrative fine of \$500.
Pharmacists’ names: **Charles Henry Hill, #11364; Bill Gann, 5118; Terrell G. Milby, #12190; William Aubrey Sellars, #4157; Becky Yvette Guyton, #13285; Heather Landers Dilmore, #13674; Kathryn Costello Fowler, #9455; Billy F. East, #8027; David T. Smith, #10887; Blair W. Nist, #12856; Allison B. Howard, #13203; Garfield A. Bennett, #13524.** Failure to satisfy continuing education requirements for renewal. Action – Signed “Consent Order;” required to complete deficient hours in triplicate; assessed administrative fine.

Pharmacy’s name: **Southern Home Respiratory, Inc, #111982.** Engaging in the selling, offering for sale, compounding, or dispensing drugs without first renewing permit. Action – Signed ‘Consent Order’; assessed administrative fine of \$500.

Please Note

Board meeting dates for May have been changed to May 22 - 23, 2003.

Alabama State Board of Pharmacy’s Web Site

The Board of Pharmacy’s Web site contains all the pharmacy laws, forms for registration, and other pertinent information, which we hope will be useful to pharmacists, technicians, and permit holders. Our Web site address is www.albop.com.

Do You Know a Pharmacist or Technician Who Needs Help?

Call the Committee on Rehabilitating Impaired Pharmacists (CORIP) help line at the voice mail of Steve Moore at 205/975-8548. All calls are confidential.

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The *Alabama State Board of Pharmacy News* is published by the Alabama State Board of Pharmacy and the National Association of Boards of Pharmacy Foundation, Inc, to promote voluntary compliance of pharmacy and drug law. The opinions and views expressed in this publication do not necessarily reflect the official views, opinions, or policies of the Foundation or the Board unless expressly so stated.

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