



# Alabama State Board of Pharmacy

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Published to promote voluntary compliance of pharmacy and drug law.

## **Board Mourns Loss of Carl L. Limbaugh**

Carl L. Limbaugh, age 81, died September 29, 2001. He was a retired lieutenant from the Birmingham Police Department with 27 years of service and a drug inspector with the Alabama State Board of Pharmacy for 25 years.

Mr Limbaugh was a member of the Veterans of Foreign Wars, lifetime member of the Fraternal Order of Police Lodge #1, Alabama Peace Officers' Association, and the Birmingham Chapter of the Battle of the Bulge. His last two years with the city of Birmingham were on assignment with the Federal Government Drug Task Force, United Narcotic Drug Operations. He served in World War II and was awarded five battle stars. He was the first recipient of the Distinguished Service Award for Top Inspector by the National Association of Boards of Pharmacy® and was recognized by the state senate of Alabama for his outstanding achievements.

Survivors include his wife of 61 years, Doris; one son, Mick; one daughter, Connie; three grandsons; one great-grandson, and one great-granddaughter.

Mr Limbaugh always had a smile on his face and a kind word for everyone with whom he came in contact. The Board of Pharmacy is honored to have worked with such a professional and caring man.

Our love and deepest sympathy goes out to his wife and family.

## **Jackson "Jack" A. Como Appointed to Alabama State Board of Pharmacy**

Jackson A. Como, PharmD, has been appointed to a five-year term on the Alabama State Board of Pharmacy effective January 1, 2002. He replaces Tom Alford.

Jack is the director of Therapeutic Policy Management at the University of Alabama Hospital (UAH) Department of Pharmacy. He earned his bachelor of science and doctor of pharmacy degrees from Auburn University in 1978 and 1983 respectively. He has been actively involved in hospital pharmacy practice since 1979 but has specialized in the provision of drug information services since 1983 when he accepted a position as staff pharmacist at the Drug Information Service at UAH. During his tenure in the Drug Information Service, he has been responsible for providing and

assuring the provision of a full range of information services including formulary management, quality assurance of drug therapy, and education of pharmacy residents and post-graduate students.

He has authored several publications in peer-reviewed journals in addition to more than 100 drug monographs and articles for the Pharmacy and Therapeutics Committee. Jack is a member of the American Society of Health-System Pharmacists and the state hospital pharmacy association, Alabama Society of Health-System Pharmacists. Jack was born in Birmingham.

## **Technician Registration**

During this calendar year, it has come to the attention of the Alabama State Board of Pharmacy that there are numerous technicians who were previously registered with the Board but failed to renew their registration in 2000 and/or 2001 and continued to work in pharmacies. In fact, some were not registered with the Board at all but worked as pharmacy technicians.

Code of Alabama 1975, Title 34 Chapter 23, Practice of Pharmacy Act 205, § 34-23-131. Supervision - Registration, reads in part:

2(a) A pharmacy technician shall not perform pharmacy functions or be present in the prescription department of a pharmacy unless he or she is under the direct supervision of a licensed pharmacist. **A pharmacy technician shall not perform pharmacy functions or be present in the prescription department of a pharmacy unless he or she is registered by the Board.**

Furthermore, Rule 680-X-2-.12, Supervising Pharmacist (4)(I), reads in part:

The **supervising pharmacist** shall insure compliance with the provision of the Pharmacy Practice Act, Rules of the Alabama State Board of Pharmacy, and the Controlled Substances Act.

The Board urges all technicians, pharmacists, and those who hold a pharmacy permit to ensure that only duly licensed pharmacists or technicians who are registered with the Board perform any pharmacy function and only those previously mentioned may be present in the pharmacy department.

Effective January 1, 2002, in addition to penalties assessed against technicians who do not hold a current registration and

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are allowed to work, the Board will also hold the supervising pharmacist and the permit holder responsible and subject to **disciplinary** action.

### **Substitution of Drugs**

The Board of Pharmacy continues to receive complaints from physicians who write prescriptions and sign them “*dispense as written*” but find their patients are dispensed a generic drug.

Complaints have been received from an ophthalmologist who performs corneal transplants. On numerous occasions, his patients have returned to his office after surgery with more edema than he felt they should have. After checking the patients’ prescription bottle, he continually found that although he wrote a prescription for Pred Forte “dispense as written,” the prescription was being filled with generic 1% prednisolone acetate. Several “warning” notices have been issued regarding substitution, but, unfortunately, this has not solved the problem. Therefore, the only alternative is to file administrative charges against the pharmacist(s), who will be required to appear before the Board at an administrative hearing.

### **Reminder**

Effective January 1, 2002, Rule 680-X-2-.14, The Role of Technicians in Pharmacies in Alabama, has been amended, in part, as follows:

10(a) Every pharmacy technician registered by the Alabama State Board of Pharmacy shall, prior to reregistration, obtain three (3) hours of continuing education annually, one hour of which must be “live” continuing education.

### **Midrin Rescheduled**

The active ingredient in Midrin® was placed in Schedule IV by the Drug Enforcement Administration effective August 16, 2001. Therefore, according to Alabama law, it automatically became scheduled in Alabama on September 16, 2001. The State Board of Health voted to schedule it on September 19, 2001.

### **Inspection of Drug Profiles**

Almost on a daily basis, the Board of Pharmacy is contacted in regard to who has the authority to view “patient drug profiles.” In addition to the investigators of the Alabama State Board of Phar-

macy, law enforcement agencies are entitled to inspect prescription files in every pharmacy in Alabama.

Code of Alabama 1975, Title 20 Chapter 2, Alabama Uniform Controlled Substances Act 1407, §20-2-91, **Inspection of stocks of controlled substances and prescriptions, orders, etc, required by chapter; disclosure of information as to the prescriptions, orders, etc, by enforcement personnel**, (a) reads:

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, the investigators to the board of dental examiners, and the agents and officers of the department of public safety** whose duty it is to enforce the laws of this state or of the United States relating to controlled substances.

### **Alabama State Board of Pharmacy’s Web Site**

The Alabama State 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](http://www.albop.com).

### **Do You Know a Pharmacist Who Needs Help?**

Call the Committee on Rehabilitating Impaired Pharmacists (CORIP) help line and leave a message in the voice mailbox of Steve Moore at 205/975-8548. All calls are confidential.

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