

July 2004



New Jersey Board of Pharmacy

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www.state.nj.us/lps/ca/boards.htm

Published to promote voluntary compliance of pharmacy and drug law.

New Practice Act Takes Effect

The new New Jersey Pharmacy Practice Act takes effect on July 12, 2004. Refer to the April 2004 *Newsletter* for a recap of the key changes in the new Act.

Some of the key changes such as collaborative practice, immunizations, and registration of technicians will require rule making. Therefore, these changes cannot take effect until the rule making process is concluded.

Changes that do not require rule making will take effect immediately. Examples include:

- ◆ The authorization for a pharmacist to change to a different dosage form than originally prescribed if the prescriber is notified within 48 hours following the dispensing.
- ◆ Technicians may accept authorization from a physician for a prescription renewal, provided that the prescription remains unchanged.
- ◆ Out-of-state pharmacies that ship, mail, distribute, or deliver drugs pursuant to a prescription into New Jersey must register with the New Jersey Board of Pharmacy.
- ◆ Pharmacist may supervise more than two pharmacy technicians if all the technicians meet the specific certification or training requirements as outlined in 45:14-80e (1-8).

To review the complete Practice Act and all pharmacy regulations visit the Board of Pharmacy Web site at www.state.nj.us/lps/ca/boards.htm.

Invitation to Meetings

As you know, the role of the Board of Pharmacy is to safeguard the health of the people of New Jersey. Our rules and regulations, our hearings and penalties, and our meetings are all geared toward furthering that mission.

The Board encourages the public to attend its meetings, offer comments, and observe the decision-making process. The viewpoints of our nine members (soon to be 11) can only be enhanced with the input, the eyes and ears, and the brainpower of an audience. We welcome every attendant at our meetings, and listen carefully to every comment. The Board meets year-round on the second and fourth Wednesday of each month at 124 Halsey St in Newark, NJ.

NABP Celebrates 100 Years

The National Association of Boards of Pharmacy® (NABP®) is the professional organization that represents state boards of pharmacy in all regions of the United States, District of Columbia, Guam, Puerto Rico, the Virgin Islands, eight provinces of Canada, two states in Australia, New Zealand, and South Africa. NABP was established in 1904 to develop uniform standards and procedures for pharmacist licensure and for the transfer of licensure. Throughout the years NABP has helped develop programs and services to assist the state boards in their charge to protect the public health, safety, and welfare. NABP's 100th Annual Meeting and Centennial Celebration was held in late April in Chicago, IL. Several Board members and Executive Director Joanne Boyer attended and participated in the educational and business sessions, and other special events.

Board Member Palombo Elected to NABP Executive Committee



Richard A. Palombo, RPh, member of the New Jersey Board of Pharmacy (District II), was elected to a three-year member term on the NABP Executive Committee during the Association's 100th Annual Meeting and Centennial Celebration, held April 24-27, 2004, in Chicago, IL.

As a former president and current member of the New Jersey Board of Pharmacy, Palombo has served the Board of Pharmacy since 1996. He also served as liaison to the New Jersey State Legislature and liaison to the Enforcement and Inspections Bureau, and was the committee chair for Continuous Quality Improvement. Palombo has been an active member of NABP since 2000. He was chair of the Committee on Law Enforcement/Legislation and served on such task forces as the Task Force to Examine the Quality and Standards of Internship Requirements and Task Force on Privacy and Patient Confidentiality.

Currently a director with the Pharmacy Professional Practice Group and compliance coordinator for Medco Health

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Solutions, Inc, Palombo is responsible for assessing and monitoring the efficacy and proficiency of the Compliance Program. He also develops self-assessment tools to ensure compliance with all federal, state, and local statutes and regulations relating to patient safety and care.

In addition to his pharmacy services, Palombo is the mayor of Upper Township, NJ. Before becoming mayor in 1999, he served as councilman of Upper Township from 1997 to 1999. Palombo is a member of many professional organizations including the American Pharmacists Association; the New Jersey Pharmacist's Association, which bestowed upon him the Award of Appreciation for Outstanding Contribution to the Profession of Pharmacy in 2001; the South Jersey Pharmacist Association; and the American Society for Pharmacy Law.

Palombo holds a bachelor of science degree in pharmacy from Temple University College of Pharmacy in Philadelphia, PA.

Generic Substitution – What Should I Do?

The following from the Department of Health was published on May 17, 2004, by the Commissioner's Office.

Effective immediately, pharmacists shall use the Electronic Orange Book at www.fda.gov/cder/ob to verify approval of generic products for substitution. When a possible interchange product does not appear [in] the Orange Book, the pharmacist shall consult the list of Interchangeable Drug Products (the "DURC Formulary") at N.J.A.C. 8:71. The DURC Formulary including all additions and deletions through July 7, 2003 will remain in effect through May 17, 2005. When a possible interchangeable product does not appear either [in] the Electronic Orange Book or the DURC Formulary, the pharmacist must consult with the prescriber, and obtain permission and confirmation to dispense, see N.J.S.A. 24:6E-8.

Per N.J.S.A. 24:6E-10, all pharmacies are still required to have 12" x 12" "Attention Consumer" placards posted in two locations, and to have a copy of the New Jersey Formulary available.

Compounding Guidance

The recently published United States Pharmacopeia (USP) Chapter <797>, Pharmaceutical Compounding – Sterile Preparations, became effective January 1, 2004. This chapter details the procedures and requirements for compounding sterile preparations and sets standards that are applicable to all practice settings where sterile preparations are compounded. A copy of the chapter may be obtained at USP's Web site, www.usp.org. Pharmacies that compound sterile preparations may be subject to inspection against these standards by Food and Drug Administration, accreditation organizations, and boards of pharmacy. While the New Jersey Board of Pharmacy has not fully adopted the requirements outlined in this chapter, pharmacies are strongly encouraged to be compliant with these standards.

Proper Labeling

This topic was discussed in the last Newsletter, but bears repeating since inspectors continue to frequently cite violations.

Prescriptions issued by authorized prescribers must have the name of the prescriber issuing the prescription, and not the name of the collaborative physician on the prescription label. For example, labels indicating the name of the collaborative physician for prescriptions issued by an advanced practice nurse (formerly called nurse practitioners) are in violation of 13:39-5.9(a)9 and 13:39-7.14(b)6.

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