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SC Department of Labor, Licensing & Regulation – Board of Pharmacy

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Published to promote voluntary compliance of pharmacy and drug law.

Pharmacist License Renewals

License renewal applications will be mailed prior to March 1, 2004, to every currently licensed pharmacist at his or her mailing address of record. The correctly completed renewal application, with all required fees and attachments, must be received by the South Carolina Board of Pharmacy office no later than April 1, 2004.

Do not send continuing education (CE) certificates to the Board office unless specifically requested to do so. The South Carolina Board of Pharmacy will not be responsible for any CE certificates unless they have been requested.

In order to prevent your application from being returned, please do the following:

- ◆ Read and follow all instructions.
- ◆ Sign and date the application.
- ◆ Include the proper fee of \$80 for applications received on or before April 1, 2004. A fee of \$130 must accompany applications received after April 1, 2004. If you have practiced after April 30, 2004, you may be assessed a civil penalty for practicing with a lapsed license.
- ◆ You must have a total of 15 CE hours. Six of these must be live and seven-and-one-half of this total must be in drug therapy or patient management. All must be Accreditation Council for Pharmacy Education or Continuing Medical Education Category I approved. All hours must be earned between January 1, 2002, and the date on which you submit your renewal. You must have your certificate in hand. If exempt from CE, proper documentation must be attached to the application.

All Compounding is Important

We hear about sterile compounding in the news all the time. Guidelines for good compounding practices, end-product testing, and maintaining a sterile environment have been featured in many professional publications recently. The Board of Pharmacy makes an effort to ensure that everyone doing sterile compounding is using the best possible practice. Less attention gets placed on those common compounds being done across the state in almost all pharmacies.

Non-sterile compounding (magic mouthwashes, creams, and ointments) should also always be produced with the highest standards. State law requires that proper compounding logs be maintained, even if they are for these common non-sterile products. Our inspectors in the field are looking to make sure that these compounding logs are maintained. If you have questions about how to establish proper compounding logs for any compounded products, do not hesitate to call the Board office. We'll be glad to assist. And remember, all compounds must be logged.

Pharmacists' Right to Dispense Legend Devices

By Hugh Mobley, RPh

A natural extension for many pharmacies is the provision of durable medical equipment or "Legend Medical Devices." It has been brought to the Board's attention that some pharmacists in the state have been told that they are not legally able to dispense legend devices. According to the South Carolina Pharmacy Practice Act, §40-43-30(14), the definition of "Dispense" means:

the transfer of possession of one or more doses of a drug or device by a licensed pharmacist or person permitted by law, to the ultimate consumer or his agent pursuant to a lawful order of a practitioner in a suitable container appropriately labeled for subsequent administration to, or use by, a patient. As an element of dispensing, the dispenser shall, before the actual physical transfer, interpret and assess the prescription order for potential adverse reactions or side effects, interactions, allergies, dosage, and regimen the dispenser considers appropriate in the exercise of his professional judgment, and the dispenser shall determine that the drug or device called for by the prescription is ready for dispensing. The dispenser shall also provide counseling on proper drug usage, either orally or in writing, as provided in this chapter. The actual sales transaction and delivery of a drug or device is not considered dispensing and the administration is not considered dispensing.

After reading the above text from the Pharmacy Practice Act, it is clear that dispensing legend devices is legal if the pharmacy has a proper permit with the Board.

The South Carolina Board of Pharmacy Practice Act refers to drugs or devices in many places. A definition of both drugs and devices is present in §40-43-30 of that act. Section 40-43-86 outlines practice guidelines and facility requirements for pharmacies and pharmacists.

Within a pharmacist's own area of practice, the types of "Legend Medical Devices" provided should be evaluated within the scope and training of personnel on staff. Care should be used to not cross into clinical areas in which we are not licensed. Without documentation of training, pharmacists and/or employees need to be careful in the setup, delivery, and instruction of these devices. The licensed pharmacist and permitted pharmacy in South Carolina is allowed to handle, set up, and give instruction on the use and operation of "Legend Medical Devices."

We, as a profession, should use this right wisely and put patient care and well-being at the forefront of our practice.

Pharmacy Technician Late Renewal Fees

Pharmacy technician registration renewals will be mailed out in April this year. With the 2004-2005 renewal cycle, a new policy on late renewal has been established by the Board. Pharmacy technicians who renew prior to June 30, 2004, will pay the fee of \$25 to be submitted

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with their renewal application. Those technicians who do not renew prior to June 30 will be assessed a \$10 penalty. All renewal forms received after June 30 will be returned, with a notice to the individual that the renewal will not be processed until the proper fees are received.

Those pharmacy technicians who have not renewed their registration for over two years will be required to submit the initial registration fee of \$40 and a renewal application with proof of the required continuing education for those lapsed years.

Another issue that has been addressed by the Board is technicians who do not properly renew their registrations annually. **State law prohibits a technician from working without being properly registered with the Board of Pharmacy.** If your registration is not current, you cannot work until it is renewed and in hand. If you are a new hire, you must have your registration in hand before beginning pharmacy technician duties. Contrary to popular belief, there is no grace period for technicians to work before becoming registered with the Board. Inspectors for the Board are on the lookout for this whenever they walk into a pharmacy. Heavy fines will be incurred for those who do not abide by this law. The pharmacy could be looking at \$250 per offense if these laws are not followed.

Pharmacists-in-charge/supervising pharmacists are responsible for making sure all staff is properly registered and identified with the Board. Do not allow technicians to work without being properly registered with the Board. **Your license could be on the line!**

New Policy Regarding Pharmacy Technician CE

Beginning with the 2004-2005 renewal of the pharmacy technician registration, all technicians will be required to submit 10 hours of continuing education (CE), four of which must be live. In an effort to assist those technicians who are enrolled in degree programs in the health care profession, the Board has established the Policy & Procedure #134:

Any registered Pharmacy Technician attending accredited courses in a health-related field during the respective period of renewal may submit a transcript of such courses which would exempt them from submitting CE for the renewal requirements.

New Policy Regarding Pharmacy Technician Practical Experience

At its November 2003 meeting the Board set Policy & Procedure #135 to address concerns about the setting for pharmacy technicians to obtain practical experience hours for state certification:

Pharmacy Technicians submitting hours of practical experience for state-certification must obtain those hours in a permitted facility under the supervision of a licensed pharmacist or in those sites that comply with the description listed in 40-43-85(G).

§40-43-85(G) of the Pharmacy Practice Act states:

A pharmacy, site, or program offering interns/externs practical experience toward licensure as a pharmacist shall conform to the best traditions of pharmacy, shall have available all necessary reference books, in addition to the official standards and current professional journals and periodicals, and must be operated at all times under the supervision of a licensed pharmacist as required by law. The designated pharmacist must signify willingness to train interns/externs desiring to obtain practical experience in accordance with this chapter. The pharmacy at which an intern/extern is being trained shall provide an environment that is conducive to the learning of the practice of pharmacy by an intern/extern. It is expected that the intern/extern will be exposed to all facets of the practice of pharmacy in that setting including, but not limited to:

- (1) evaluation of prescription drug orders;
- (2) preparation and labeling of drugs;
- (3) dispensing of drugs;
- (4) patient profile update and review;
- (5) drug use review;
- (6) patient counseling; and
- (7) proper and safe storage of drugs.

Correction from November 2003 Newsletter

Tri-County Technical College was unfortunately omitted from the listing of South Carolina technical colleges that have affiliate American Society of Health-System Pharmacists® accreditation. Tri-County does offer a formal academic training program for pharmacy technicians that is accepted by the Board of Pharmacy. Students interested in enrolling in Tri-County Technical College for formal academic training as a pharmacy technician should contact the school for further information. We apologize for the oversight!

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