



Texas State Board of Pharmacy M E M O R A N D U M

DATE: March 9, 2018

TO: Board Members
Staff
Interested Parties

FROM: Megan G. Holloway
Assistant General Counsel

SUBJECT: Rules adopted and proposed at the February 6, 2018 Board Meeting.

ADOPTED RULES

CHAPTER 283. LICENSING REQUIREMENTS FOR PHARMACISTS

§283.3

The Texas State Board of Pharmacy adopts amendments to §283.3 concerning Educational and Age Requirements. The amendments clarify the requirements for pharmacist licensure by removing a reference to good moral character.

CHAPTER 291. PHARMACIES

SUBCHAPTER H – OTHER CLASSES OF PHARMACY

§291.153

The Texas State Board of Pharmacy adopts amendments to §291.153 concerning Central Prescription Drug or Medication Order Processing Pharmacy (Class G). The amendments remove a reference to drug therapy management as a pharmacist duty in a Class G pharmacy setting and correct grammatical errors.

CHAPTER 295. PHARMACISTS

§295.2

The Texas State Board of Pharmacy adopts amendments to §295.2 concerning Change of Employment. The amendments add a definition of the term employment.

§295.8

The Texas State Board of Pharmacy adopts amendments to §295.8 concerning Continuing Education Requirements. The amendments add a requirement of one hour of continuing education on opioid abuse for pharmacist license renewal.

CHAPTER 297. PHARMACY TECHNICIANS AND PHARMACY TECHNICIAN TRAINEES

§297.3

The Texas State Board of Pharmacy adopts amendments to §297.3 concerning Registration Requirements. The amendments create a schedule for the renewal of an expired pharmacy technician registration to be consistent with §568.004 of the Texas Pharmacy Act.

PROPOSED RULES

CHAPTER 291. PHARMACIES

SUBCHAPTER A – ALL CLASSES OF PHARMACIES

§291.9

The Texas State Board of Pharmacy proposes amendments to §291.9 concerning Prescription Pick Up Locations. The amendments, if adopted, clarify the requirements for prescription pickup locations to be consistent with DEA requirements.

SUBCHAPTER B – COMMUNITY PHARMACY (CLASS A)

§291.33

The Texas State Board of Pharmacy proposes amendments to §291.33 concerning Operational Standards. The amendments, if adopted, update the requirements for the use of automated checking devices and automated storage and distribution devices by Class A pharmacies.

SUBCHAPTER D – INSTITUTIONAL PHARMACY (CLASS C)

§291.75

The Texas State Board of Pharmacy proposes amendments to §291.75 concerning Records. The amendments, if adopted, update the requirements for maintaining a log of pharmacy personnel initials or identification codes.

§291.76

The Texas State Board of Pharmacy proposes amendments to §291.76 concerning Class C Pharmacies Located in a Freestanding Ambulatory Surgical Center. The amendments, if adopted, update the requirements for maintaining a log of pharmacy personnel initials or identification codes.

SUBCHAPTER G – SERVICES PROVIDED BY PHARMACIES

§291.121

The Texas State Board of Pharmacy proposes amendments to §291.121 concerning Remote Pharmacy Services. The amendments, if adopted, clarify the requirements for delivery of drugs at a remote site through a telepharmacy system.

§291.125

The Texas State Board of Pharmacy proposes amendments to §291.125 concerning Centralized Prescription Dispensing. The amendments, if adopted, clarify the definition of an outsourcing pharmacy and update the requirements for centralized prescription dispensing.

SUBCHAPTER H – OTHER CLASSES OF PHARMACY

§291.151

The Texas State Board of Pharmacy proposes amendments to §291.151 concerning Pharmacies Located in a Freestanding Emergency Medical Care Facility. The amendments, if adopted, clarify the duties of the pharmacist-in-charge to include ensuring a pharmacist visits the pharmacy at least once each calendar week; clarify the requirements regarding the withdrawal of drugs from the freestanding emergency medical care facility; and correct a rule reference.

RULE REVIEWS / RULE REVIEW ADOPTIONS

The Texas State Board of Pharmacy adopts the review of Chapter 291, (§§291.51 – 291.55), concerning Nuclear Pharmacy (Class B), pursuant to the Texas Government Code §2001.039, regarding Agency Review of Existing Rules.

The Texas State Board of Pharmacy adopts the review of Chapter 305, (§§305.1 – 305.2), concerning Educational Requirements, pursuant to the Texas Government Code §2001.039, regarding Agency Review of Existing Rules

The Texas State Board of Pharmacy adopts the review of Chapter 309, (§§309.1 – 309.8), concerning Substitution of Drug Products, pursuant to the Texas Government Code §2001.039, regarding Agency Review of Existing Rules.