



**TEXAS STATE BOARD OF PHARMACY  
REPORT TO THE TEXAS PHARMACY CONGRESS  
May 10, 2018**

**I. CURRENT ISSUES**

**A. Task Force on Operation of Rural Hospital Pharmacies** – The task force is charged with reviewing the current regulations and possibly developing recommendations for changes to the regulations relating to the Texas Occupation Code, Chapter 562, Subchapter C., Section 562.1011, Operation of Class C Pharmacy in Certain Rural Hospitals. The task force met on April 17 and will be surveying rural hospital pharmacies. The task force is scheduled to meet again on June 20.

**B. Texas Prescription Monitoring Program** Statistics for FY2018

	1 <sup>ST</sup> Quarter	2 <sup>nd</sup> Quarter	3 <sup>rd</sup> Quarter	4 <sup>th</sup> Quarter	Year-to-Date
Registered Users	4,122	9,587			13,968
Searches	1,235,921	1,373,668			2,696,376
Prescriptions Dispensed	9,300,482	9,883,374			19,928,194

**II. ADOPTED RULES (May 1, 2018 Meeting – Effective date mid-June 2018)**

**A. Amendments to §291.9 concerning Prescription Pick-Up Locations** – The amendments clarify the requirements for prescription pickup locations to be consistent with DEA requirements.

**B. Amendments to §291.33 concerning Operational Standards** - The amendments update the requirements for the use of automated checking devices and automated storage and distribution devices by Class A pharmacies.

**C. Amendments to §291.75 concerning Records and §291.76 concerning Class C Pharmacies Located in a Freestanding Ambulatory Surgical Center** - The amendments update the requirements for maintaining a log of pharmacy personnel initials or identification codes.

**D. Amendments to §291.121 concerning Remote Pharmacy Services** - The amendments clarify the requirements for delivery of drugs at a remote site through a telepharmacy system.

**E. Amendments to §291.125 concerning Centralized Prescription Dispensing** - The amendments clarify the definition of an outsourcing pharmacy and update the requirements for centralized prescription dispensing.

**F. Amendments to §291.151 concerning Pharmacies Located in a Freestanding Emergency Medical Care Facility (Class F)** - The amendments 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.

**II. PROPOSED RULES (May 1, 2018 – The rules will be considered by the Board for final adoption at the August 7, 2018, meeting)**

**A. §291.1 concerning Pharmacy License Applications** - The amendments, if adopted, update the requirements for maintaining a log of pharmacy personnel initials or identification codes.

**B. §291.3 Concerning Change of Location By Sterile Compounding Pharmacies** - The amendments, if adopted, add inspection requirements for sterile compounding pharmacies (Class A-S, C-S, and E-S) and nuclear pharmacies (Class B) when the pharmacy changes location.

**C. §291.19 Concerning Pharmacy Inspection Warning Notices** - The amendments, if adopted, update the response required to a written warning notice.

**D. §291.133 Concerning Fingertip and Media Fill Testing in Pharmacies Under Common Ownership** - The amendments, if adopted, update the media fill and aseptic procedures test requirements for all sterile compounding personnel in Class A-S, Class B, Class C-S and Class E-S pharmacies; clarify the testing requirements for supervisory pharmacists working in multiple pharmacies under common ownership; clarify the environmental testing certification procedures; and correct grammatical errors.

**E. §295.9 Concerning Education Requirements for Pharmacists** - The amendments, if adopted, add a requirement of one hour of continuing education on opioid abuse for pharmacist license reactivation.

**F. §295.11 Concerning Notification to Consumers** - The amendments, if adopted, update the requirements for pharmacies to post a sign notifying consumers of the Board's contact information for filing complaints regarding the practice of pharmacy, and permits a pharmacy to utilize an electronic messaging system in lieu of such a sign.

**G. §305.2 Concerning Pharmacy Technician Training Programs** - The amendments, if adopted, clarify the standard for Board-approved pharmacy technician training programs by recognizing that pharmacy technician training programs are jointly accredited by the American Society of Health-System Pharmacists and the Accreditation Council on Pharmacy Education.

**H. §§291.32 and 291.33 Concerning Automation** – The amendments, if adopted, update the rules regarding automation to allow for prepackaged medications in automated dispensing systems.

**I. §291.29 Concerning Red Flag Checklist** – The amendments, if adopted, update the red flag checklist.

**J. §291.34 Concerning Professional Responsibility** – The amendments, if adopted, clarify the responsibility of an owner of a Class A pharmacy to ensuring its agents and employees engage in appropriate decisions regarding dispensing of valid prescriptions.

**IV. 2019-2020 TSBP Legislative Appropriation Request (LAR)** –The Board approved the LAR at the May 1, 2018, meeting.

TSBP will be submitting a request for additional funding for a number of “Exceptional Items” as follows:

#1 – Prescription Monitoring Program	\$5,204,723
#2 – Services and Subscriptions	\$358,800
#3 – Merit	\$547,373
#4 – Equity Adjustments	\$56,294
#5 – Vehicle Replacement	\$110,000
#6 – New Positions	\$861,354
#7 – Information Technology - Hardware	\$82,600
#8 – Information Technology – Daily Operations	\$158,520
#9 – Telecommunications – Daily Operations	\$27,676
Total Exceptional Items	\$7,407,340