

PHARMACY BOARD [657]

Notice of Intended Action

The Board of Pharmacy hereby proposes to amend Chapter 4, “Pharmacist-Interns,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is proposed under the authority provided in Iowa Code sections 147.76, 147.80 and 155A.6.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code sections 147.80 and 155A.6.

Purpose and Summary

Pursuant to Iowa Code 17A.7(2), the board conducted a five-year review of this chapter of rules. This proposed rulemaking:

- Provides consistency in the experiential training of pharmacist-intern graduates in the United States and of foreign pharmacy programs,
- Provides consistent language with other board rules relating to the use of an ITIN number in lieu of a social security number,
- Simplifies the subrule relating to delegated functions of a pharmacist-intern,
- Removes the reference to a license surcharge for the board’s monitoring program which the board no longer assesses,
- Allows the board to require the submission of a \$15 fee for verification of a pharmacist-intern registration or certification of hours,
- Provides language relating to the required notice to the board following criminal or disciplinary action, and
- Rearranges rules for clarity.

Fiscal Impact

This rule making has unknown fiscal impact to the state of Iowa. The Board implemented an online licensing database in 2018 which now provides license and registration verification options at no charge to licensees/registrants. It is unknown how many pharmacist-interns will opt for a verification by board staff in lieu of a verification report via the board’s website at no charge.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Board for a waiver of the discretionary provisions, if any, pursuant to 657—Chapter 34.

Public Comment

Any interested person may submit comments concerning this proposed rule making. Written comments in response to this rule making must be received by the Board no later than 4:30 p.m. on _____, 2020. Comments should be directed to:

Sue Mears, RPh
Iowa Board of Pharmacy
400 SW 8th Street, Suite E
Des Moines, IA 50309

Public Hearing

No public hearing is scheduled at this time. As provided in Iowa Code section 17A.4(1) “b,” an oral presentation regarding this rule making may be demanded by 25 interested persons, a governmental subdivision, the Administrative Rules Review Committee, an agency, or an association having 25 or more members.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its regular monthly meeting or at a special meeting. The Committee’s meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rule-making action is proposed:

ITEM 1. Amend rule 657—4.6(155A) as follows:

657—4.6(155A) Registration, reporting, and authorized functions. Every person shall register with the board before beginning the person’s internship experience, whether or not for the purpose of fulfilling the requirements of rule 657—4.3(155A). Registration is required of all students enrolled in Iowa colleges of pharmacy upon commencement of the first professional year in the college of pharmacy. Colleges of pharmacy located in Iowa shall annually certify to the board the names of students who are enrolled in the first professional year in the college of pharmacy.

Colleges of pharmacy located in Iowa shall, within two weeks of any change, certify to the board the names of students who have withdrawn from the college of pharmacy.

4.6(1) *Application for registration—required information.* Application for registration as a pharmacist-intern shall be on forms provided by the board, and all requested information shall be provided on or with such application. The application shall require that the applicant provide, at a minimum, the following: name; address; telephone number; date of birth; social security number or individual tax identification number (ITIN); and name and location of college of pharmacy and anticipated month and year of graduation. The college of pharmacy shall certify the applicant's eligibility to practice as a pharmacist-intern. If the applicant provides an ITIN in lieu of a social security number, the applicant shall also provide acceptable proof of lawful presence.

4.6(2) *Supervision and authorized functions.* A licensed pharmacist shall be on duty in the pharmacy and shall be responsible for the actions of a pharmacist-intern during all periods of internship training. At the discretion of the supervising pharmacist, ~~the following clinical and judgmental functions, usually restricted to a pharmacist,~~ may be delegated to registered pharmacist-interns which functions are appropriate to the pharmacist-intern's level of education and training. ~~registered by the board:~~

a. ~~Verification of the accuracy, validity, and appropriateness of the filled prescription or medication order;~~

b. ~~Review and assessment of patient records for purposes identified in rule 657—8.21(155A);~~

c. Patient counseling;

d. ~~Administration of vaccines pursuant to rule 657—39.10(155A).~~

4.6(3) No change

4.6(4) *Identification, reports, and notifications.* ~~Credit for internship time will not be granted unless registration and other required records or affidavits are completed.~~

a. ~~The pharmacist-intern shall be so designated in all relationships with the public and health professionals. While on duty in the pharmacy, the intern shall wear visible to the public a name badge including the designation “pharmacist-intern” or “pharmacy student.”~~

b. ~~Registered interns shall notify the board office within ten days of a change of name or address.~~

~~c. — Notarized affidavits of experience in non college sponsored programs shall be submitted to the board no later than six months following graduation from a school or college of pharmacy. These affidavits shall certify only the number of hours and dates of training obtained outside a college-based clinical program as provided in rule 657—4.3(155A). An individual registered as a pharmacist intern while participating in an Iowa residency or fellowship program shall not be required to file affidavits of experience.~~

4.6(5) ~~No Internship credit prior to registration.~~

~~a. Credit will not be given for internship experience obtained prior to the individual's registration as a pharmacist-intern. Credit for Iowa college-based clinical programs will not be granted unless registration is issued before the student begins the program. Credit for internship experience will not be granted unless registration and other required records or affidavits are completed.~~

~~b. Notarized affidavits of experience in non-college sponsored programs shall be submitted to the board no later than six months following graduation from a school or college of pharmacy. These affidavits shall certify only the number of hours and dates of training obtained outside a college-based clinical program as defined in rule 657—4.3(155A). An individual registered as a pharmacist-intern while participating in an Iowa residency or fellowship program shall not be required to file affidavits of experience.~~

4.6(6) *Nontraditional internship.* Internship training at any site which is not licensed as a general or hospital pharmacy is considered nontraditional internship.

a. and b. No change

c. *Certification, not credit.* Hours obtained in nontraditional internship shall not be credited toward the total 1500 hours required pursuant to rule 657—4.3(155A) or rule 657—4.7(155A) prior to licensure to practice pharmacy in Iowa. The board may, however, certify hours obtained in one or more approved nontraditional internships in recognition of the pharmacist-intern's training outside the scope of traditional pharmacy practice. Certification shall not be granted for experience obtained in a nontraditional internship unless the board, prior to the intern's beginning the period of internship, approved the objectives of the internship.

ITEM 2. Amend rule 657—4.7(155A) as follows:

657—4.7(155A) Foreign pharmacy graduates. Foreign pharmacy graduates who are candidates

for licensure in Iowa will be required to obtain a minimum of 1500 hours of internship in a ~~licensed~~ pharmacy licensed in a state or territory of the United States or other board-approved location which provides experience in community, institutional, and clinical pharmacy practices.

4.7(1) and 4.7(2) No change

ITEM 3. Amend rule 657—4.8(155A) as follows:

657—4.8 (155A) Fees. The fee for registration as a pharmacist-intern is \$30, ~~plus applicable surcharge pursuant to 657—30.8(155A)~~, which shall be payable with the application. The board may require the submission of a nonrefundable fee of \$15 for written registration verification or certification of internship hours.

ITEM 4. Renumber rule **657—4.11(155A)** as **657—4.12(155A)**.

ITEM 5. Adopt the following new rule 657—4.11(155A):

657—4.11(155A) Notifications to the board.

4.11(1) Reporting registration changes. A registered pharmacist-intern shall report to the board within ten days a change of the pharmacist-intern's name, address or email address. Except for a change in name, an update to the pharmacist-intern's personal online profile through the board's online database shall satisfy this subrule.

4.11(2) Reporting criminal convictions and pleas. A registered pharmacist-intern who has been convicted of, or entered a plea of guilty, nolo contendere, or no contest to, a crime, other than a minor traffic offense, shall report such conviction or plea to the board within 30 days of adjudication.

4.11(3) Reporting disciplinary action. A registered pharmacist-intern who has been the subject of disciplinary action in another state, to include but not be limited to citations, reprimands, fines, license restrictions, probation, or license or registration surrender, suspension, or revocation, shall report such action to the board within 30 days of adjudication.