

**NOTICE OF INTENT TO ADOPT RULE IN THE GEORGIA STATE BOARD OF
PHARMACY RULES,
RULE 480-7A-.06 RECORDS AND RECORDKEEPING; REPORTING
REQUIREMENTS, AND NOTICE OF PUBLIC HEARING**

TO ALL INTERESTED PERSONS AND PARTIES:

Notice is hereby given that pursuant to the authority set forth below, the Georgia State Board of Pharmacy (hereinafter “Board”) proposes adoption of new Georgia Board of Pharmacy Rules, Rule 480-7A-.06 RECORDS AND RECORDKEEPING; REPORTING REQUIREMENTS (hereinafter “proposed amendments”).

This notice, together with an exact copy of the proposed amendments and a synopsis of the proposed amendments, is being forwarded to all persons who have requested, in writing, that they be placed on an interested parties list. A copy of this notice, an exact copy of the rule including the proposed amendments, and a synopsis of the rule including the proposed amendments may be reviewed during normal business hours of 8:00 a.m. to 5:00 p.m. Monday through Friday, except official State holidays, at the Department of Community Health at 2 Martin Luther King, Jr. Drive SE, East Tower, 11th Floor, Atlanta, GA 30334. These documents will also be available for review on the Georgia State Board of Pharmacy’s web page at www.gbp.georgia.gov.

A public hearing is scheduled to begin at 9:00 AM on December 13, 2023 at Department of Community Health, 2 Martin Luther King, Jr. Drive SE, East Tower, 11th Floor, Atlanta, Georgia 30334 to provide the public an opportunity to comment upon and provide input into the proposed amendments. At the public hearing, anyone may present data, make a statement, comment or offer a viewpoint or argument whether orally or in writing. Lengthy statements or statements of a considerable technical or economic nature, as well as previously recorded messages, must be submitted for the official record. Oral statements should be concise and will be limited to 5 minutes per person. Additional comments should be presented in writing. Written comments are welcome. To ensure their consideration, written comments must be received prior to December 6, 2023. Written comments should be addressed to the Executive Director of the Georgia State Board of Pharmacy at 2 Martin Luther King, Jr. Drive SE, East Tower, 11th Floor, Atlanta, GA 30334. You may email your comments to elacefield@dch.ga.gov.

The proposed amendments will be considered for adoption by the Georgia State Board of Pharmacy at its meeting scheduled to begin at 9:00 AM on December 13, 2023 at Department of Community Health, 2 Martin Luther King, Jr. Drive SE, East Tower, 11th Floor, Atlanta, Georgia 30334. According to the Department of Law, State of Georgia, the Georgia State Board of Pharmacy has the authority to adopt the proposed amendments pursuant to authority contained in O.C.G.A. §§ 26-4-27.

At its meeting on July 19, 2023, the Board voted that the formulation and adoption of these rule amendments do not impose excessive regulatory cost on any licensee and any cost to comply with the proposed amendments cannot be reduced by a less expensive alternative that fully accomplishes the objectives of O.C.G.A §§ 26-4-27, 26-4-28, 16-13-22.

Also, at its meeting on July 19, 2023, the Board voted that it is not legal or feasible to meet the objectives of O.C.G.A §§ 26-4-27, 26-4-28, 16-13-22 to adopt or implement differing actions for businesses as listed at O.C.G.A. § 50-13-4(a)(3)(A), (B), (C) and (D). The formulation and adoption of this chapter will impact every licensee in the same manner, and each licensee is independently licensed, owned and operated and dominant in the field of pharmacy.

For further information, contact the Board office at 404-651-8000.

This notice is given in compliance with O.C.G.A. §50-13-4.

This 13 day of November, 2023.



Eric R. Lacefield
Executive Director
Georgia Board of Pharmacy

Posted: November 13, 2023.

**SYNOPSIS OF PROPOSED GEORGIA STATE BOARD OF PHARMACY RULE
RULE 480-7A-.06 RECORDS AND RECORDKEEPING; REPORTING
REQUIREMENTS**

- Purpose:** To amend the rule to update the address of the Georgia Drugs and Narcotics Agency's offices to reflect relocation of same.
- Main Features:** Updated the address of the Georgia Drugs and Narcotics Agency's offices.

**TEXT OF PROPOSED GEORGIA STATE BOARD OF PHARMACY RULE
RULE 480-7A-.06 RECORDS AND RECORDKEEPING; REPORTING
REQUIREMENTS**

NOTE: Struck through text is proposed to be deleted. Underlined text is proposed to be added.

Text of the proposed rule is attached hereto.

Rule 480-7A-.06. Records and Recordkeeping; Reporting Requirements

- (1) Listed chemical wholesale distributors and other wholesale distributors shall, at a minimum, maintain records regarding the distribution of listed chemicals as follows:
 - (a) Produce and maintain, for a minimum of three years from the date of the transaction, inventories and records of all transactions regarding the receipt, sale, credit, transfer, disposition, and distribution of all listed chemicals to any firm, person, or retail outlet located in this State. Inventories and records shall be made available for inspection and photocopying by any authorized agent of any State or federal agency for a period of three (3) years following their creation date.
 - (b) Records described in this section that are kept at the inspection site or that can be immediately retrieved by computer or other electronic means shall be readily available for authorized inspection during the retention period. Records kept at a central location apart from the inspection site and not electronically retrievable shall be made available for inspection within two working days of a request by an authorized official of any State and federal governmental agency charged with enforcement of these rules.
 - (c) Maintain an ~~up-to-date~~up-to-date list of firms, persons or retail outlets with whom they do business in regards to listed chemicals.
- (2) Listed chemical wholesale distributors and other wholesale distributors shall, at a minimum, maintain and provide documents and reports regarding the distribution of listed chemicals as follows:
 - (a) Supply a copy of their Board issued permit to any firm, person, or retail outlet in this state which has received, purchased, or gained access to any product containing a listed chemical.
 - (b) Supply each firm, person, or retail outlet with a copy of all records involving sales, credits, transfers or the like whenever such transaction involves a product containing a listed chemical.
 - (c) Report to GDNA of shortages or losses of listed chemicals within seven (7) business days.
 - (d) Within seven days, notify the GDNA of any purchases of a product containing a listed chemical from the listed chemical wholesale distributor which the wholesaler judges to be excessive, or have knowledge or suspicion of said purchases being used in the unlawful manufacture of a controlled substance or file with the GDNA any reportable transaction. A reportable transaction should be sent to the attention of the Director of the GDNA. Such reports should be sent to GDNA located at ~~40 Pryor Street, SW - Suite 2000 in Atlanta, Georgia 30303~~254 Washington Street SW, Suite G2000, Atlanta, GA 30334.
 - ~~(e)~~ Upon verbal or written request from the GDNA, the GBI, or the sheriff of a county or the police chief of a municipality located in this state, submit reports to account for the transactions of any listed chemicals with persons or firms located within this state; such transactions shall include all sales, distribution, or transactions dealing with products containing a listed chemical; All such records shall be submitted by the distributor within two working days.

- (3) Any and all retail outlets or persons receiving a listed chemical product from a licensed listed chemical wholesale distributor, licensed by this State, are required to maintain records of all such transactions for a minimum of three years, and upon request, by law enforcement officials, are required to provide such records for review within five business days, with failure to provide such records accounting for the presence of such products shall result in the embargo or seizure of such products.
- (4) Changes in any information required on the initial application shall be submitted to the Board no less than 30 days prior to such change.

Authority: O.C.G.A. §§ 16-13-30.3, 16-13-30.4, 26-4-28, 26-4-112, 26-4-113, 26-4-115.