

**NOTICE OF INTENT TO AMEND RULE IN THE GEORGIA STATE BOARD OF
PHARMACY RULES,
RULE 480-36-.03 PERSONNEL AND SUPERVISION, 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 amendments to the Georgia Board of Pharmacy Rules, Rule 480-36-.03 PERSONNEL AND SUPERVISION (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 Peachtree Street NW, Atlanta, Georgia, 30303. 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 November 16, 2022 at Department of Community Health at 2 Peachtree Street, NW, 6th Floor, Atlanta, Georgia, 30313 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 November 9, 2022. Written comments should be addressed to the Executive Director of the Georgia State Board of Pharmacy at 2 Peachtree Street NW, 6th Floor, Atlanta, Georgia 30303. 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 November 16, 2022 at Department of Community Health at 2 Peachtree Street, NW, 6th Floor, Atlanta, Georgia, 30313. 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. §§ 26-4-5; 26-4-27; 26-4-28; and 26-4-110.

At its meeting on September 14, 2022, 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 September 14, 2022, 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 14 day of October, 2022.



Eric R. Lacefield
Executive Director
Georgia Board of Pharmacy

Posted: _____, 2022

**SYNOPSIS OF PROPOSED AMENDMENTS TO THE
GEORGIA STATE BOARD OF PHARMACY RULE 480-36-.03 PERSONNEL AND
SUPERVISION**

- Purpose:** To remove reference to "secondary remote entry pharmacy" in accord with the Board's other amendments in this chapter. To provide guidance in the use of pharmacy interns/externs and pharmacy technicians in the performance of remote entry processing to ensure compliance with Georgia law.
- Main Features:** Elimination of reference to "secondary remote entry pharmacy." Addition of language providing guidance in the use of pharmacy interns/externs and pharmacy technicians in accordance with Georgia law in remote order entry processing.

**DIFFERENCES OF THE PROPOSED AMENDMENTS TO THE
GEORGIA STATE BOARD OF PHARMACY RULE 480-36-.03 PERSONNEL AND
SUPERVISION**

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

480-36-.03. Personnel and Supervision

- (1) The primary dispensing pharmacy shall have a licensed pharmacist on site during business hours and his/her ~~shall~~ duties shall include the verification of the validity of all prescriptions. Such pharmacist shall be responsible for obtaining and recording all information needed. This shall include but not be limited to the following patient information: biographical information, medication history, drug allergies, and other information as required. Pharmacy technicians and pharmacy interns/externs may assist a pharmacist located at the primary dispensing pharmacy with remote prescription drug order processing. Such pharmacies shall comply with Georgia laws and rules set forth pertaining to ratios and the supervision of pharmacy technicians and pharmacy interns/externs.
- (2) ~~The secondary remote entry pharmacy shall have a pharmacist on duty, licensed in this State, who is physically present and personally supervising all pharmacy activities. Remote prescription drug order processing in a retail pharmacy without the direct supervision of a pharmacist is prohibited.~~
- (3) If the secondary remote entry pharmacist is engaging in the remote services listed in rule 480-36-.01 from a Georgia Board of Pharmacy licensed pharmacy, then Ppharmacy technicians and pharmacy interns/externs may assist a the secondary remote entry pharmacist located at the secondary remote entry pharmacy with remote prescription drug order processing. If a pharmacy technician or pharmacy intern/extern is assisting the secondary remote entry pharmacist, he/she must be located within the licensed pharmacy. Such Secondary remote entry pharmacists shall comply with Georgia laws and rules set forth pertaining to ratios and the supervision of pharmacy technicians and pharmacy interns/externs.

- (43) The secondary remote entry pharmacist ~~on duty at the secondary remote entry pharmacy~~ shall be responsible for assuring the accuracy of prescriptions for which he/she performed or supervised remote prescription drug order processing. This responsibility shall exclude the compounding, preparation, dispensing, and counseling for prescriptions for which he/she has performed remote prescription drug order processing. The pharmacist shall verify the data entered into the computer system is consistent with the prescription. The pharmacist shall conduct a drug regimen review for each prescription. Any activity requiring the exercise of professional judgment shall be performed by the secondary remote entry pharmacist ~~on duty~~ and shall not be delegated to pharmacy technicians. The secondary remote entry pharmacist ~~on duty at the secondary remote entry pharmacy~~ shall be responsible for verification of all activities performed by pharmacy technicians, or pharmacy interns/externs.

Authority: O.C.G.A. §§ 26-4-4, 26-4-5, 26-4-27, 26-4-28, 26-4-60, 26-4-80, 26-4-82, 26-4-83, 26-4-110.