

**NOTICE OF INTENT TO AMEND RULE IN THE GEORGIA STATE BOARD OF
PHARMACY RULES,
RULE 480-48-.01 DEFINITIONS, 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 480-48-.01 DEFINITIONS (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 August 18, 2021 at The University of Georgia College of Pharmacy, Pharmacy South Building, Room 303, 240 W. Green Street, Athens, GA 30602 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 August 11, 2021. 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 9:05 AM on August 18, 2021 at The University of Georgia College of Pharmacy, Pharmacy South Building, Room 303, 240 W. Green Street, Athens, GA 30602. 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, 26-4-28, (the repeal of) 26-4-110.1.

At its meeting on April 14, 2021, 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 April 14, 2021, 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 13th day of July, 2021.



Eric R. Lacefield
Executive Director
Georgia Board of Pharmacy

Posted: July 13, 2021

**SYNOPSIS OF PROPOSED AMENDMENTS TO THE
GEORGIA STATE BOARD OF PHARMACY RULE
RULE 480-48-.01 DEFINITIONS**

Purpose of Rule: The purpose of this amendment is to eliminate reference to pharmacy benefit managers based on the repeal of O.C.G.A. § 26-4-110.1.

Main Feature: The main feature of this amendment is to eliminate reference to pharmacy benefit managers based on the repeal of O.C.G.A. § 26-4-110.1.

**DIFFERENCES OF THE PROPOSED AMENDMENTS TO THE
GEORGIA STATE BOARD OF PHARMACY RULE
RULE 480-48-.01 DEFINITIONS**

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

480-48-.01 Definitions

For purposes of this chapter of the Rules and Regulations, the following definitions apply:

- (a) "Board" shall mean the Georgia Board of Pharmacy.
- (b) "Delivery by Mail" or "delivered by mail" or "delivery by mail" shall mean delivery to a patient or the patient's designee by the United States Postal Service or by a commercial common carrier from the pharmacy which fills the prescription.
- (c) "Delivery by Pharmacy" shall mean delivery directly to a patient or patient's designee from the pharmacy by contract or private carrier or by an employee of the pharmacy.
- (d) "Mail order pharmacy" shall mean a pharmacy that uses delivery by mail as a means of delivery of a prescription drug to a patient or the patient's designee.
- (e) "Pharmacy" means a pharmacy holding a current Board issued license to operate a pharmacy in Georgia, ~~including pharmacy benefit managers required to be licensed pursuant under O.C.G.A. 26-4-110.1,~~ and nonresident pharmacy permit holders.

Authority: O.C.G.A. Secs. 26-4-5, 26-4-27, 26-4-28, 26-4-60, 26-4-80, 26-4-85, 26-4-110, and 26-4-114.1.