

**NOTICE OF INTENT TO ADOPT PROPOSED RULE TO THE GEORGIA STATE BOARD OF
PHARMACY RULES
RULE 480-15-.06 OTHER PHARMACY PERSONNEL.**

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 a new Rule to the Georgia Board of Pharmacy Rules: Rule 480-15-.06 OTHER PHARMACY PERSONNEL (hereinafter "proposed rule").

This notice, together with an exact copy of the proposed rule and a synopsis of the proposed rule, 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 proposed rule, and a synopsis of the proposed rule 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 12:00 PM on May 11, 2016 at the Georgia Board of Pharmacy, Department of Community Health, 2 Peachtree Street, 36th Floor, Atlanta, Georgia 30303 to provide the public an opportunity to comment upon and provide input into the proposed rule. 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 May 4, 2016. Written comments should be addressed to the Executive Director of the Georgia State Board of Pharmacy at 2 Peachtree Street NW, Atlanta, Georgia 30303 FAX: 678-717-6694. You may email your comments to tbattle@dch.ga.gov.

The proposed rule will be considered for adoption by the Georgia State Board of Pharmacy at its meeting scheduled to begin at 12:05 PM on May 11, 2016 at the Georgia Board of Pharmacy, Department of Community Health, 2 Peachtree Street, 36th Floor, Atlanta, Georgia 30303. According to the Department of Law, State of Georgia, the Georgia State Board of Pharmacy has the authority to adopt the proposed rule pursuant to authority contained in O.C.G.A. §§ 26-4-28, 26-4-110, 26-4-111.

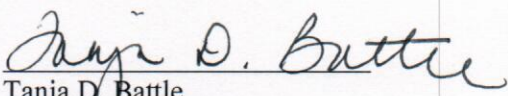
At its meeting on March 9, 2016, the Board voted that the formulation and adoption of this rule do not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rule cannot be reduced by a less expensive alternative that fully accomplishes the objectives of O.C.G.A §§ 26-4-27, 26-4-28, 16-13-22.

Also, at its meeting on March 9, 2016, 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 rule 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 7th day of April, 2016.


Tanja D. Battle
Executive Director
Georgia Board of Pharmacy

Posted: April 7, 2016

**SYNOPSIS OF PROPOSED RULE OF THE
GEORGIA STATE BOARD OF PHARMACY RULES
RULE 480-15-.06 OTHER PHARMACY PERSONNEL.**

Purpose of Rule: The purpose of this rule is to permit the presence of pharmacy observers in the pharmacy for the limited and exclusive purpose of education about the practice of pharmacy.

Main Features: The main feature of this rule is to limit the duties of pharmacy observers and require direct supervision.

**PROPOSED RULE FOR THE GEORGIA STATE BOARD OF PHARMACY RULES
RULE 480-15-.06 OTHER PHARMACY PERSONNEL.**

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

480-15-.06 Other Pharmacy Personnel.

(1) Effective June 1, 2016, a pharmacy may permit pharmacy observers to shadow licensed pharmacists for the limited and exclusive purpose of education about the practice of pharmacy.

(2) Requirements. In order to be pharmacy observer, an individual must:

(a) Be at least seventeen (17) years old;

(b) Be currently enrolled in high school or in general education diploma preparation courses; and

(c) Not have been convicted of a felony and/or any offense that was related to drugs and have an attestation by the principal of his/her school or parent or guardian stating that the observer has neither been convicted of a felony or any offense that was related to drugs.

(3) Limitation of Duties. A pharmacy observer shall not perform any duties that require licensure as a pharmacist or pharmacy intern or registration as a pharmacy technician under the Georgia Pharmacy Practice Act (O.C.G.A. Title 26, Chapter 4) or the Rules of the Georgia Board of Pharmacy. It shall be the responsibility of the supervising pharmacist and the pharmacist-in-charge to ensure that no pharmacy observer performs or conducts those duties or functions that require licensure or registration under Georgia law or rules.

(4) Restriction of Access. A pharmacy observer shall not be present in the pharmacy for more than eight (8) hours per day and in no circumstance for more than forty (40) hours.

(5) Requirement of Direct Supervision. The supervising pharmacist shall be present and personally supervise the pharmacy observer at all times that the observer is in the pharmacy. The pharmacist to pharmacy observer ratio shall not exceed one pharmacist providing direct supervision of one pharmacy observer.

(6) Identification of Pharmacy Observers. The pharmacist-in-charge shall be responsible for ensuring that any pharmacy observer in the prescription department is easily identifiable by the use of a name badge or other similar means which prominently displays the observer's name and job title. The pharmacist-in-charge is responsible for ensuring that such a person wears or displays such identification at all times when the person is present in the prescription department.

(7) Professional Conduct. A pharmacy observer shall be subject to any confidentiality restrictions under state and/or federal law or regulation to which other pharmacy employees are subject. The pharmacist-in-charge shall conduct all training required to ensure that the pharmacy observer understands and complies with his/her obligations of confidentiality under state and federal law or regulation.

Authority: O.C.G.A. §§ 26-4-28, 26-4-110, and 26-4-111.