NOTICE OF INTENT TO AMEND RULE IN THE GEORGIA STATE BOARD OF PHARMACY RULES,
RULE 480-15-.05 DUTIES OR FUNCTIONS PROHIBITED FROM BEING PERFORMED BY A REGISTERED PHARMACY TECHNICIAN., 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 480-15-.05 DUTIES OR FUNCTIONS PROHIBITED FROM BEING PERFORMED BY A REGISTERED PHARMACY TECHNICIAN. (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 11:30 AM on November 9, 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 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 2, 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 amendments will be considered for adoption by the Georgia State Board of Pharmacy at its meeting scheduled to begin at 11:35 AM on 11/9/2016 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 amendments pursuant to authority contained in O.C.G.A. §§ 26-4-27, 26-4-28, 26-4-60, 26-4-82, 26-4-84, 26-4-85, 26-4-88.

At its meeting on September 14, 2016, 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.

At its meeting on 9/14/2016, the Board also 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 these

amendments 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 5th day of October, 2016.

Tanja D. Battle
Executive Director
Georgia Board of Pharmacy

Posted: October 5, 2016

SYNOPSIS OF PROPOSED AMENDMENTS TO THE GEORGIA STATE BOARD OF PHARMACY RULE 480-15-.05 DUTIES OR FUNCTIONS PROHIBITED FROM BEING PERFORMED BY A REGISTERED PHARMACY TECHNICIAN.

Purpose of Rule: The purpose of these amendments is to clarify the scope of duties permitted to be performed by a pharmacy technician.

Main Features: The main feature of these amendments is to prohibit pharmacy technicians from accepting or verifying controlled substance orders.

DIFFERENCES OF THE PROPOSED AMENDMENTS TO THE GEORGIA STATE BOARD OF PHARMACY RULE 480-15-.05 DUTIES OR FUNCTIONS PROHIBITED FROM BEING PERFORMED BY A REGISTERED PHARMACY TECHNICIAN.

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

480-15-.05 Duties or Functions Prohibited from Being Performed by a Registered Pharmacy Technician.

(a) In dispensing drugs, no individual other than a licensed pharmacist shall perform or conduct those duties or functions which require professional judgment. It shall be the responsibility of the supervising pharmacist to ensure to that no other employee of the pharmacy, excluding pharmacy interns or externs but including registered pharmacy technicians, performs, or conducts those duties or functions which require professional judgment. The following functions require the professional judgment of a pharmacist, or a pharmacy intern or extern, under the direct supervision of a pharmacist, and may not be performed by a registered pharmacy technician:
(1) Acceptance of telephoned or other oral prescriptions;
(2) Transfers of prescription drug orders from another pharmacy or transfers of a prescription drug order to another pharmacy;
(3) Patient counseling;
(4) Receiving information or providing information about a prescription drug order;
(5) Making the determination as to whether to refill the prescription drug order;
(6) Certification of a filled and finished prescription drug order;
(7) Weighing or measuring active ingredients without a mechanism of verification;
(8) Compounding of medication without a mechanism of verification;
(9) Giving a completed prescription to the patient requesting same without the label and contents and the label being verified by a pharmacist.~~;~~
(10) Reconstitution of prefabricated medication without a mechanism of verification;
(11) Verification of the constituents of final IV admixtures for accuracy, efficacy, and patient utilization;
(12) Enter of order on patient medication profiles without verification by a pharmacist;
(13) Provision of drug information that has not been prepared or approved by the pharmacist;
(14) Review of the patient record for therapeutic appropriateness; ~~and~~
(15) Accept and/or verify controlled substance deliveries to a licensed pharmacy; and
~~(15)~~(16) Any other act prohibited by Board rule, or law.

Authority: O.C.G.A. §§26-4-27, 26-4-28, 26-4-60, 26-4-82, 26-4-84, 26-4-85, 26-4-88.