

# Occupational Authorizations

for the meeting of the

ALC-OCCUPATIONAL LICENSING REVIEW SUBCOMMITTEE

Monday, June 15, 2020 at 1:30 PM

## Arkansas State Board of Pharmacy

### PHARMACIST

Authorization Type: Licensure # of Individuals Regulated:

Entity Division Name:

Scope of Practice: (17)

(A) "Practice of pharmacy" means the healthcare provider profession of:

(i)

(a) Dispensing, selling, distributing, transferring possession of, vending, bartering, or, in accordance with rules adopted by the Arkansas State Board of Pharmacy, administering drugs, medicines, poisons, or chemicals that under the laws of the United States or the State of Arkansas may be sold or dispensed only on the prescription and order of a practitioner authorized by law to prescribe drugs, medicines, poisons, or chemicals.

(b) Except as limited by rules adopted by the Arkansas State Board of Pharmacy, a pharmacist has the ability to administer medications.

(c) Influenza vaccines and influenza immunizations may be administered to a person seven (7) years of age and older under a general written protocol.

(d) Vaccines and immunizations other than influenza vaccines and influenza immunizations may be administered to a person from seven (7) years of age to eighteen (18) years of age general written protocol required under § 20-15-1203 if written consent of the parent or legal guardian of the minor is obtained before the administration of the vaccine or immunization.

(e) Vaccines and immunizations other than influenza vaccines and influenza immunizations may be administered to a person eighteen (18) years of age or older under a general written protocol.

(f) Medications other than vaccines and immunizations may be administered to a person seven (7) years of age or older under a patient-specific order or prescription and subject to reporting of the administration to the prescribing physician.

(g) A general written protocol under subdivisions (16)(A)(i)(c) and (e) of this section and patientspecific orders or prescriptions under subdivisions (16)(A)(i)(d) and (f) shall be from a physician licensed by the Arkansas State Medical Board and practicing in Arkansas or within fifty (50) miles of the Arkansas border;

(h) Under a statewide protocol, a pharmacist may initiate therapy and administer or dispense, or both, drugs that include Naloxone and nicotine replacement therapy products;

(ii) Placing, packing, pouring, or putting into a container for dispensing, sale, distribution, transfer of, possession of, vending, or bartering any drug, medicine, poison, or chemical that under the laws of the United States or the State of Arkansas may be sold or dispensed only on the prescription of a practitioner authorized by law to prescribe drugs, medicines, poisons, or chemicals;

(iii) Placing in or affixing upon any container described in subdivision (16)(A)(ii) of this section a label required to be placed upon drugs, medicines, poisons, or chemicals sold or dispensed upon prescription of a practitioner authorized by law to prescribe those drugs, medicines, poisons, or chemicals;

(iv) Preparing, typing, or writing labels to be placed in or affixed on any container described in subdivision (16)(A)(ii) of this section, which label is required to be placed upon drugs, medicines, poisons, or chemicals sold or dispensed upon prescription of a practitioner authorized by law to prescribe those drugs, medicines, poisons, or chemicals;

(v) Interpreting prescriptions for drugs, medicines, poisons, or chemicals issued by practitioners authorized by law to prescribe drugs, medicines, poisons, or chemicals that may be sold or dispensed only on prescription;

(vi) Selecting, taking from, and replacing upon shelves in the prescription department of a pharmacy or apothecary drugs, medicines, chemicals, or poisons that are required by the laws of the United States or the State of Arkansas to be sold or dispensed only on prescription of a practitioner authorized by law to prescribe them;

(vii) Compounding, mixing, preparing, or combining drugs, medicines, chemicals, or poisons that under

**PHARMACIST (Continued)**

the laws of the United States or the State of Arkansas may be sold or dispensed only on the prescription of a practitioner authorized by law to prescribe them;

(viii) Advising and providing information concerning utilization of drugs and devices and participation in drug utilization reviews;

(ix)

(a) Performing a specific act of drug therapy management or disease state management delegated to a pharmacist for an individual patient based upon a written protocol or a patient care plan approved by a physician, who shall be licensed in this state under the Arkansas Medical Practices Act, § 17-95-201 et seq., § 17-95-301 et seq., and § 17-95-401 et seq.

(b) Drug therapy management shall not include the selection of drug products not prescribed by the physician unless the drug products are either named in the physician-initiated protocol or the physician-approved patient care plan;

(x) Providing pharmacy care; and

(xi) Providing pharmacokinetic services.

(B) The provisions of subdivisions (16)(A) and (16)(C) of this section shall not apply to employees of wholesale drug companies or other drug distributors who do not fill prescriptions or sell or dispense drugs to the consumer.

(C)

(i) The Arkansas State Board of Pharmacy may permit pharmacy technicians other than pharmacists or interns to perform some or all of those functions described in board regulations under the direct, personal supervision of a licensed pharmacist pursuant to regulations defining the minimum qualifications of such employees, the ratio of pharmacy technicians to supervising pharmacists, and the scope of the duties, practices, and procedures that the Arkansas State Board of Pharmacy determines will promote the delivery of competent, professional pharmaceutical services and promote the public health and welfare. Nothing in this chapter shall be construed as allowing pharmacy technicians to administer medications.

(ii) The conduct of a pharmacy technician is the responsibility of the pharmacist-in-charge and supervising pharmacist of the pharmacy who shall not permit the employee to perform any act, task, or function that involves the exercise of independent judgment by the employee.

(iii) Pharmacy products prepared by pharmacy technicians shall be verified for accuracy by the supervising pharmacist prior to release for patient use, and the verification shall be documented.

(iv) The use of pharmacy technicians in a manner not authorized by this chapter or regulations promulgated hereunder shall be unprofessional conduct by the pharmacist-in-charge and the supervising pharmacist.

(v) It is recognized that hospital pharmacy technicians as defined in § 17-92-602(5) are governed by the Hospital Pharmacies Act, § 17-92-601 et seq., and related Arkansas State Board of Pharmacy regulations developed pursuant to that act;

Statutory Requirement(s): Arkansas Pharmacy Practice Act 17-92-101 et. seq.

Pursuant to Arkansas Code § 17-1-106, do you provide automatic licensure to an active military service member, returning military veteran applying for licensure within one year of his or her discharge from active duty, or the spouse of an active military service member or returning military veteran who is within one year of discharge from active duty?

No

If NO, the rule establishing the expedited process and procedure:

- [Rule for Expedited Process and Procedure for Military Service Member or Spouse](#)

<b>Fees &amp; Penalties</b>			
Fee Type	Fee Description	Amount (\$)	Frequency
Fee	Federal Background Check Fee	\$14.25	Once
Fee	State Police Background Check Fee	\$22.00	Once
Fee	Renewal Fee	\$150.00	Biennially
Penalty	Renewal Late Fee - February	\$20.00	Biennially
Penalty	Renewal Late Fee - March	\$40.00	Biennially
Fee	Reinstatement Fee - Minimum	\$75.00	Once
Fee	Reinstatement Fee - Maximum	\$300.00	Once

**Arkansas State Board of Pharmacy (Continued)****PHARMACIST (Continued)**

Fee Type	Fee Description	Amount (\$)	Frequency
Fee	License by Reciprocity - Licensure Application Fee - Even Year	\$275.00	Once
Fee	License by Reciprocity - Licensure Application Fee - Odd Year	\$200.00	Once
Fee	License by Exam - Original Pharmacist License - Even Year	\$150.00	Once
Fee	License by Exam - Original Pharmacist License - Odd Year	\$75.00	Once
Fee	License by Exam - Application Fee	\$25.00	Once

**Administrative Rules Documents**

Document Type	Document
Rules	<a href="#">Pharmacy_Practice_Act_July_2019.pdf</a>
Rules	<a href="#">REGULATION_02_March_2014_Final.doc</a>
Rules	<a href="#">REGULATION_11_July_2015_Final.doc</a>

**Supporting Evidence Documents***No Supporting Evidence Documents Provided***PHARMACIST INTERN**

Authorization Type: Licensure # of Individuals Regulated:

Entity Division Name:

Scope of Practice: (17)

(A) "Practice of pharmacy" means the healthcare provider profession of:

(i)

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(b) Except as limited by rules adopted by the Arkansas State Board of Pharmacy, a pharmacist has the ability to administer medications.

(c) Influenza vaccines and influenza immunizations may be administered to a person seven (7) years of age and older under a general written protocol.

(d) Vaccines and immunizations other than influenza vaccines and influenza immunizations may be administered to a person from seven (7) years of age to eighteen (18) years of age general written protocol required under § 20-15-1203 if written consent of the parent or legal guardian of the minor is obtained before the administration of the vaccine or immunization.

(e) Vaccines and immunizations other than influenza vaccines and influenza immunizations may be administered to a person eighteen (18) years of age or older under a general written protocol.

(f) Medications other than vaccines and immunizations may be administered to a person seven (7) years of age or older under a patient-specific order or prescription and subject to reporting of the administration to the prescribing physician.

(g) A general written protocol under subdivisions (16)(A)(i)(c) and (e) of this section and patientspecific orders or prescriptions under subdivisions (16)(A)(i)(d) and (f) shall be from a physician licensed by the Arkansas State Medical Board and practicing in Arkansas or within fifty (50) miles of the Arkansas border;

(h) Under a statewide protocol, a pharmacist may initiate therapy and administer or dispense, or both, drugs that include Naloxone and nicotine replacement therapy products;

(ii) Placing, packing, pouring, or putting into a container for dispensing, sale, distribution, transfer of, possession of, vending, or bartering any drug, medicine, poison, or chemical that under the laws of the United States or the State of Arkansas may be sold or dispensed only on the prescription of a practitioner authorized by law to prescribe drugs, medicines, poisons, or chemicals;

(iii) Placing in or affixing upon any container described in subdivision (16)(A)(ii) of this section a label required to be placed upon drugs, medicines, poisons, or chemicals sold or dispensed upon

PHARMACIST INTERN (Continued)

- prescription of a practitioner authorized by law to prescribe those drugs, medicines, poisons, or chemicals;
- (iv) Preparing, typing, or writing labels to be placed in or affixed on any container described in subdivision (16)(A)(ii) of this section, which label is required to be placed upon drugs, medicines, poisons, or chemicals sold or dispensed upon prescription of a practitioner authorized by law to prescribe those drugs, medicines, poisons, or chemicals;
- (v) Interpreting prescriptions for drugs, medicines, poisons, or chemicals issued by practitioners authorized by law to prescribe drugs, medicines, poisons, or chemicals that may be sold or dispensed only on prescription;
- (vi) Selecting, taking from, and replacing upon shelves in the prescription department of a pharmacy or apothecary drugs, medicines, chemicals, or poisons that are required by the laws of the United States or the State of Arkansas to be sold or dispensed only on prescription of a practitioner authorized by law to prescribe them;
- (vii) Compounding, mixing, preparing, or combining drugs, medicines, chemicals, or poisons that under the laws of the United States or the State of Arkansas may be sold or dispensed only on the prescription of a practitioner authorized by law to prescribe them;
- (viii) Advising and providing information concerning utilization of drugs and devices and participation in drug utilization reviews;
- (ix)
  - (a) Performing a specific act of drug therapy management or disease state management delegated to a pharmacist for an individual patient based upon a written protocol or a patient care plan approved by a physician, who shall be licensed in this state under the Arkansas Medical Practices Act, § 17-95-201 et seq., § 17-95-301 et seq., and § 17-95-401 et seq.
  - (b) Drug therapy management shall not include the selection of drug products not prescribed by the physician unless the drug products are either named in the physician-initiated protocol or the physician-approved patient care plan;
  - (x) Providing pharmacy care; and
  - (xi) Providing pharmacokinetic services.
- (B) The provisions of subdivisions (16)(A) and (16)(C) of this section shall not apply to employees of wholesale drug companies or other drug distributors who do not fill prescriptions or sell or dispense drugs to the consumer.
- (C)
  - (i) The Arkansas State Board of Pharmacy may permit pharmacy technicians other than pharmacists or interns to perform some or all of those functions described in board regulations under the direct, personal supervision of a licensed pharmacist pursuant to regulations defining the minimum qualifications of such employees, the ratio of pharmacy technicians to supervising pharmacists, and the scope of the duties, practices, and procedures that the Arkansas State Board of Pharmacy determines will promote the delivery of competent, professional pharmaceutical services and promote the public health and welfare. Nothing in this chapter shall be construed as allowing pharmacy technicians to administer medications.
  - (ii) The conduct of a pharmacy technician is the responsibility of the pharmacist-in-charge and supervising pharmacist of the pharmacy who shall not permit the employee to perform any act, task, or function that involves the exercise of independent judgment by the employee.
  - (iii) Pharmacy products prepared by pharmacy technicians shall be verified for accuracy by the supervising pharmacist prior to release for patient use, and the verification shall be documented.
  - (iv) The use of pharmacy technicians in a manner not authorized by this chapter or regulations promulgated hereunder shall be unprofessional conduct by the pharmacist-in-charge and the supervising pharmacist.
  - (v) It is recognized that hospital pharmacy technicians as defined in § 17-92-602(5) are governed by the Hospital Pharmacies Act, § 17-92-601 et seq., and related Arkansas State Board of Pharmacy regulations developed pursuant to that act;

Statutory Requirement(s): Arkansas Pharmacy Practice Act 17-92-101 et. seq.

Pursuant to Arkansas Code § 17-1-106, do you provide automatic licensure to an active military service member, returning military veteran applying for licensure within one year of his or her discharge from active duty, or the spouse of an active military service member or returning military veteran who is within one year of discharge from active duty?

Yes

Fees & Penalties

## Arkansas State Board of Pharmacy (Continued)

### PHARMACIST INTERN (Continued)

Fee Type	Fee Description	Amount (\$)	Frequency
Fee	State Police Background Check Fee	\$22.00	Once
Fee	Federal Background Check Fee	\$14.25	Once
Fee	Initial Licensure Application Fee	\$45.00	Once

### Administrative Rules Documents

Document Type	Document
Rules	<a href="#">Pharmacy Practice Act July 2019.pdf</a>
Rules	<a href="#">REGULATION 02 March 2014 Final.doc</a>
Rules	<a href="#">REGULATION 11 July 2015 Final.doc</a>

### Supporting Evidence Documents

*No Supporting Evidence Documents Provided*

### PHARMACY TECHNICIAN

Authorization Type: Registration # of Individuals Regulated:

Entity Division Name:

Scope of Practice:

(17)

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(i)

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**PHARMACY TECHNICIAN (Continued)**

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**Fees & Penalties**

Fee Type	Fee Description	Amount (\$)	Frequency
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## Arkansas State Board of Pharmacy (Continued)

### PHARMACY TECHNICIAN (Continued)

Fee Type	Fee Description	Amount (\$)	Frequency
Fee	State Police Background Check Fee	\$22.00	Once
Fee	Federal Background Check Fee	\$14.25	Once
Fee	Renewal Fee	\$70.00	Biennially
Fee	Even Year Initial Licensure Application Fee	\$35.00	Once
Fee	Odd Year Initial Licensure Application Fee	\$70.00	Once
Fee	Reinstatement Fee	\$40.00	Once
Penalty	Renewal Late Fee - February	\$20.00	Biennially
Penalty	Renewal Late Fee - March	\$40.00	Biennially

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### Supporting Evidence Documents

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