Chapter 52. Board of Pharmacy.

(Words in **boldface and underlined** indicate language being added; words [CAPITALIZED AND BRACKETED] indicate language being deleted. Complete new sections are not in boldface or underlined.)

12 AAC 52.020 is repealed and readopted to read:

12 AAC 52.020. Pharmacy license. (a) An applicant for a pharmacy license shall submit the items required in (b) of this section for review and approval by the executive administrator. An application that does not clearly demonstrate qualifications for licensure must be reviewed and approved by the board.

(b) An applicant for a pharmacy license shall submit

(1) a complete, notarized application on a form provided by the department;

(2) the applicable fees established in 12 AAC 02.310;

(3) an attestation that within 14 days after commencement of business, a self-inspection on a form provided by the department will be completed. The self-inspection must be retained, and available upon request, for the duration of the licensing period in which it was completed; and

(4) the name of the pharmacy or pharmacist that will provide consultant pharmacist services as required in AS 08.80.390, if applicable.

(c) An application for a remote or other pharmacy license must include the name of the pharmacist designated to be the pharmacist-in-charge as required in AS 08.80.330 and 12 AAC 52.200.

(d) An application for a pharmacy license must include the name and specific location of each remote pharmacy that will be under that pharmacy's control.

(e) An application for a remote pharmacy license must include the name and, if it has been issued, the license number of the pharmacy that is its central pharmacy.

(f) A pharmacy that has changed its name, ownership, or physical address shall apply for a new and separate license in accordance with this section. (Eff. 1/16/98, Register 145; am 2/26/2000, Register 153; am 2/11/2004, Register 169; am 2/15/2006, Register 177; am 1/17/2007, Register 181; am ____/____/_____, Register _____)

Authority: AS 08.80.005 AS 08.80.157 AS 08.80.330
AS 08.80.030

12 AAC 52.030 is repealed:

12 AAC 52.030. Change of pharmacy location or name. Repealed ____/____/_____. (Eff. 1/16/98, Register 145; am 2/26/2000, Register 153; am 2/11/2004, Register 169; am 1/17/2007, Register 181; repealed ____/____/_____, Register _____)

12 AAC 52.040 is repealed:

12 AAC 52.040. Change of pharmacy ownership. Repealed ____/____/_____. (Eff. 1/16/98, Register 145; am 2/26/2000, Register 153; am 2/11/2004, Register 169; am 1/17/2007, Register 181; repealed ____/____/_____, Register _____)

12 AAC 52.070 is repealed and readopted to read:

12 AAC 52.070. Application for pharmacist license by examination. (a) An applicant for a pharmacist license by examination shall submit the items required in this section for review and approval by the executive administrator. An application that does not clearly demonstrate qualification for licensure must be reviewed and approved by the board.

(b) An applicant for licensure under this section must submit to the department

(1) a complete, notarized application on a form provided by the department; the

application must include a statement from the applicant attesting to the applicant's fluency in reading, writing, and speaking the English language;

(2) the applicable fees established in 12 AAC 02.310;

(3) two affidavits from reputable citizens that the applicant has known for at least one year attesting to the applicant's good moral character;

(4) a signed attestation that the applicant has completed the internship hours required to graduate from an accredited pharmacy;

(5) verification that the applicant has passed the examinations required in 12 AAC 52.090, sent directly to the department by the National Association of Boards of Pharmacy;

(6) verification that a foreign pharmacy graduate received the Foreign Pharmacy Graduate Examination Committee certificate, sent directly to the department by the National Association of Boards of Pharmacy, if applicable. (Eff. 1/16/98, Register 145; am 2/15/2006, Register 177; am 7/1/2007, Register 182; am 10/31/2019, Register 232; am ____/____/_____, Register _____)

Authority: AS 08.80.005 AS 08.80.110 AS 08.80.116

AS 08.80.030

Editor's note: Information about accredited colleges of pharmacy may be obtained from the Accreditation Council for Pharmacy Education, 20 North Clark Street, Suite 2500, Chicago, IL 60602-5109. Information about Foreign Pharmacy Graduate Examination Committee certification and colleges recognized by that committee may be obtained from the National Association of Boards of Pharmacy, Foreign Pharmacy Graduate Examination Committee, 1600 Feehanville Drive, Mount Prospect, IL 60056.

12 AAC 52.080 is repealed:

12 AAC 52.080. Internship requirements for a pharmacist license. Repealed ____/____/_____. (Eff. 1/16/98, Register 145; am 11/10/2001, Register 160; am 2/15/2006, Register 177; am 4/16/2016, Register 218; repealed ____/____/_____, Register _____)

12 AAC 52.092 is repealed and readopted to read:

12 AAC 52.092. Eligibility to sit for examination. An applicant for licensure by examination who has submitted documents that meet the requirements set out in 12 AAC 52.070 will be referred to the National Association of Boards of Pharmacy by the board to determine eligibility to sit for the North American Pharmacy Licensing Examination (NAPLEX) and the Multistate Pharmacy Jurisprudence Examination (MPJE) required under 12 AAC 52.090. (Eff. 7/1/2007, Register 182; am ____/____/_____, Register _____)

Authority: AS 08.80.005 AS 08.80.030 AS 08.80.110

12 AAC 52.095 is repealed and readopted to read:

12 AAC 52.095. Application for pharmacist license by reciprocity. (a) An applicant for a pharmacist license by reciprocity shall submit the items required in this section for review and approval by the executive administrator. An application that does not clearly demonstrate qualifications for licensure must be reviewed and approved by the board. An applicant for a pharmacy license shall submit

(1) a complete, notarized application on a form provided by the department;

(2) the applicable fees established in 12 AAC 02.310;

(3) two affidavits from reputable citizens that the applicant has known for at least one year attesting to the applicant's good moral character; and

(4) an application for license transfer through the National Association of Boards of Pharmacy; the license by which the applicant is seeking reciprocity from must be current, unencumbered, and in good standing.

(b) An applicant for licensure under this section who has not taken the Multistate Pharmacy Jurisprudence Examination (MPJE) required under 12 AAC 52.090 is approved to sit for that examination if the applicant has submitted the documents required under (a)(1) – (4) of this section.

(c) Experience gained during rotation requirements at an accredited institution will be accepted by the board to satisfy AS 08.80.145(5). (Eff. 7/1/2007, Register 182; am 10/31/2019, Register 232; am ____/____/_____, Register _____)

Authority: AS 08.80.005 AS 08.80.030 AS 08.80.145

12 AAC 52.120 is repealed and readopted to read:

12 AAC 52.120. Review of pharmacist intern license application. (a) An applicant shall submit the requirements in (b) of this section for review and approval by the executive administrator. An application that does not clearly demonstrate qualifications for licensure must be reviewed and approved by the board.

(b) A pharmacist intern license will be issued to an applicant who

(1) submits a complete, notarized application on a form provided by the department;

(2) pays the applicable fees established in 12 AAC 02.310;

(3) is

(A) presently enrolled in a college of pharmacy accredited by the ACPE and is satisfactorily progressing toward meeting the requirements for licensure as a

pharmacist; or

(B) a graduate of an accredited professional degree program from a school or college of pharmacy within one year preceding the date of application; or

(C) graduated from a college of pharmacy recognized by and earned certification from the Foreign Pharmacy Graduate Examination Committee of the National Association of Boards of Pharmacy; and

(4) certifies that the applicant has not been convicted of a felony or another crime that affects the applicant's ability to practice as a pharmacy intern competently and safely.

(c) A pharmacist intern license is valid for five years.

(d) An individual must be licensed as a pharmacist intern before beginning an internship in the state.

(e) A pharmacist intern license supersedes a pharmacy technician license and the pharmacy technician license shall be returned to the board.

(f) A pharmacist intern license may not be renewed. An applicant wishing to continue an internship in this state after the license has expired must reapply for a new license in accordance with this section. (Eff. 1/16/98, Register 145; am 2/11/2004, Register 169; am 2/15/2006, Register 177; am 1/17/2007, Register 181; am 11/16/2012, Register 204; am 7/9/2017, Register 223; am 6/29/2018, Register 226; am 10/31/2019, Register 232; am ____/____/_____, Register _____)

Authority: AS 08.80.005 AS 08.80.110 AS 08.80.116
AS 08.80.030

12 AAC 52.130 is repealed and readopted to read:

12 AAC 52.130. Registration of pharmacies located outside of the state. (a) An

applicant for a pharmacy registration located outside of the state shall submit the requirements in (b) of this section for review and approval by the executive administrator. An application that does not clearly demonstrate qualifications for licensure must be reviewed and approved by the board.

(b) An out-of-state pharmacy registration will be issued to an applicant who

(1) submits a complete, notarized application on a form provided by the department that includes

(A) the ownership name;

(B) the pharmacy "doing business as" name, if applicable;

(C) the physical location of the facility;

(D) a mailing address and telephone number;

(E) the names of all partners or corporate officers involved in the dispensing of prescription drugs to residents of the state, if applicable;

(F) the name, license number, and contact information for the pharmacist-in-charge;

(G) the names of all pharmacists involved in the dispensing of prescription drugs to residents of the state, if applicable;

(H) completion of the professional fitness section of the application; and

(I) the name of the appointed registered agent;

(2) pays the applicable fees established in 12 AAC 02.310;

(3) submits a copy of a current, valid facility license or registration from the jurisdiction where the pharmacy is located; and

(4) submits an attestation that was completed within the last two years. The self-

inspection must be made available upon request, for the duration of the licensing period in which it was completed.

(c) A pharmacy located outside of the state that ships, mails, or delivers prescription drugs into the state more than twice during a 12-month period shall register with the board.

(d) In AS 08.80.158(b)(4), "proof satisfactory" means a sworn statement that the pharmacy maintains its records of prescription drugs dispensed to persons in the state so that the records are readily retrievable from the records of other prescription drugs dispensed by the pharmacy, with either a written description or a copy of the pharmacy's policies and procedures. (Eff. 1/16/98, Register 145; am 6/2/2004, Register 170; am 2/15/2006, Register 177; am 6/29/2018, Register 226; am ____/____/_____, Register _____)

Authority: AS 08.80.005 AS 08.80.030 AS 08.80.158

12 AAC 52.140 is amended to read:

12 AAC 52.140. Pharmacy technician license. (a) An applicant **shall submit the requirements in (b) of this section for review and approval by the executive administrator. An application that does not clearly demonstrate qualifications for licensure must be reviewed and approved by the board** [WHO MEETS THE REQUIREMENTS ON THE CHECKLIST SET OUT IN (b) OF THIS SECTION HAS DEMONSTRATED THE NECESSARY QUALIFICATIONS FOR A PHARMACY TECHNICIAN LICENSE. AN APPLICANT WHO DOES NOT MEET THE REQUIREMENTS ON THE CHECKLIST OR WHOSE RESPONSES ON THE FORM FOR APPLICATION DO NOT CLEARLY SHOW THAT THE APPLICANT IS QUALIFIED TO RECEIVE A PHARMACY TECHNICIAN LICENSE WILL NOT BE ISSUED A LICENSE UNLESS THE BOARD REVIEWS THE APPLICATION AND DETERMINES THAT THE APPLICANT MEETS THE

QUALIFICATIONS IN THIS SECTION FOR A PHARMACY TECHNICIAN LICENSE].

(b) **A** [THE FOLLOWING CHECKLIST IS ESTABLISHED BY THE BOARD FOR REVIEW OF AN APPLICATION FOR A PHARMACY TECHNICIAN LICENSE; A] pharmacy technician license will be issued to an applicant who

(1) submits a completed form for application, including

(A) the applicant's name, mailing address, and telephone number; and

(B) the applicant's date of birth that shows the applicant is at least 18 years old;

(2) certifies that the applicant has not been convicted of a felony or another crime that affects the applicant's ability to perform the duties of a pharmacy technician safely and competently;

(3) certifies that the applicant has earned a high school diploma or its equivalent and provides the name of the issuing institution and the date the diploma or its equivalent was issued;

(4) certifies that the applicant is fluent in the reading, writing, and speaking of the English language; and

(5) pays the **applicable fees** [APPLICATION FEE AND THE PHARMACY TECHNICIAN LICENSE FEE] established in 12 AAC 02.310.

(c) **Repealed ____/____/_____** [A PHARMACY TECHNICIAN LICENSE EXPIRES ON JUNE 30 OF EVEN-NUMBERED YEARS AND MAY BE RENEWED]. (Eff. 1/16/98, Register 145; am 2/15/2006, Register 177; am 1/17/2007, Register 181; am ____/____/_____, Register _____)

Authority: AS 08.80.005 AS 08.80.030

12 AAC 52.200 is repealed and readopted to read:

12 AAC 52.200. Pharmacist-in-charge. (a) The responsibilities of the pharmacist-in-charge include

(1) compliance with all laws and regulations governing the activities of the pharmacy;

(2) training of all pharmacy personnel;

(3) ensuring adequate policies and procedures are in place for pharmacy operations;

(4) maintaining required records;

(5) storage of all materials, including drugs and chemicals; and

(6) ensuring effective controls against theft or diversion of prescription drugs.

(b) A pharmacist designated to replace the pharmacist-in-charge of a licensed or registered pharmacy shall notify the board within 10 days of that designation, by submitting a completed change of pharmacist-in-charge form provided by the department.

(c) Notwithstanding 12 AAC 52.425(a), a pharmacist may not serve as pharmacist-in-charge unless he or she is physically present in the pharmacy for a sufficient amount of time to provide supervision and control. A pharmacist may not serve as pharmacist-in-charge for more than one pharmacy at any one time except upon obtaining written permission from the board. (Eff. 1/16/98, Register 145; am 2/26/2000, Register 153; am 2/15/2006, Register 177; am 6/29/2018, Register 226; am ____/____/_____, Register _____)

Authority: AS 08.80.005 AS 08.80.157 AS 08.80.330

AS 08.80.030 AS 08.80.160

12 AAC 52.230 is repealed and readopted to read:

12 AAC 52.230. Pharmacy technicians. (a) An individual who assists in performing functions included in the definition of the practice of pharmacy must be licensed as a pharmacy technician.

(b) Before an individual may perform the tasks of a pharmacy technician, or functions in accordance with 12 AAC 52.235, the individual shall complete training required by the pharmacist-in-charge. Duties performed must be consistent with the training received.

(c) Persons whose responsibilities are purely administrative, including bookkeepers, accountants, administrative staff and persons who transport or deliver completed prescriptions to a patient or patient's agent are not required to obtain a pharmacy technician license. (Eff. 1/16/98, Register 145; am 4/4/2002, Register 162; am 1/23/2003, Register 165; am 4/3/2020, Register 234; am 8/30/2020, Register 235; am ____/____/_____, Register _____)

Authority: AS 08.80.030 AS 08.80.480

12 AAC 52.240 is repealed and readopted to read:

12 AAC 52.240. Pharmacist cooperative practice authority. (a) To initiate or modify drug therapy in accordance with a written protocol, an authorizing pharmacist may file a joint application with a practitioner authorized to prescribe drugs under AS 08 to engage in a cooperative practice agreement in the pharmacist's practice. To engage in a cooperative practice agreement, the written protocol must first be approved by the State Medical Board under 12 AAC 40.983 and endorsed by the Board of Pharmacy before implementation of the agreement.

(b) The Board of Pharmacy will endorse a cooperative practice agreement if the applicant provides

(1) a joint application to engage in a cooperative practice agreement signed by the

authorizing practitioner and authorizing pharmacist;

(2) a copy of the written protocol containing the requirements in 12 AAC 40.983(c);

(3) a statement that the authorizing pharmacist and other participating personnel licensed under this chapter have met the training requirements in 12 AAC 52.992; and

(4) documentation of approval by the State Medical Board or its delegate.

(c) Unless the board is satisfied that the pharmacist has been adequately trained in the procedures outlined in the written protocol, the board will specify and require completion of additional training that covers those procedures before endorsing the cooperative practice agreement.

(d) Documentation related to the written protocol and a signed copy of the approved cooperative practice application must be maintained at the pharmacist's practice for the duration of the agreement.

(e) The agreement may be terminated upon written notice by the authorizing practitioners or pharmacist. The pharmacist shall notify the board on a form provided by the department within 30 days after an agreement is terminated.

(f) This section does not apply to participation, by a pharmacist practicing in an institutional facility, in drug therapy protocols and guidelines approved by the institutional facility's pharmacy and therapeutics committee or by another medical staff governing body of that institutional facility, if records related to the drug therapy protocols and guidelines are maintained and made available to the board upon request.

(g) An approved cooperative practice agreement is valid at the authorizing pharmacist's practice and permits all qualified personnel licensed under this chapter to engage in the agreement. (Eff. 11/10/2001, Register 160; am 2/11/2004, Register 169; am 11/16/2012, Register

204; am 10/31/2019, Register 232; am ____/____/_____, Register _____)

Authority: AS 08.80.030 AS 08.80.480

12 AAC 52.470(d) is amended to read:

12 AAC 52.470. Refills.

• • •

(d) A pharmacist or pharmacist intern may dispense any quantity of a prescription drug order so long as the

[(1)] total quantity of dosage units dispensed does not exceed the total quantity of dosage units authorized by the prescriber, including refills [;

(2) DRUG IS NOT A FEDERAL OR STATE SCHEDULED CONTROLLED SUBSTANCE].

• • •

(Eff. 1/16/98, Register 145; am 6/29/2018, Register 226; am 4/3/2020, Register 234; am 8/30/2020, Register 235; am ____/____/_____, Register _____)

Authority: AS 08.80.005 AS 08.80.030

12 AAC 52.585 is repealed and readopted to read:

12 AAC 52.585. Patient counseling. (a) Following the review of a patient's records, if deemed necessary by the pharmacist, a pharmacist or pharmacist intern shall personally offer counseling to each patient or the patient's agent

(b) If a pharmacist or pharmacist intern provides counseling, they may provide the counseling by any verbal, written, or electronic means.

(c) This section does not apply to a pharmacist who dispenses drugs for inpatient use in a hospital or other institution if the drug is to be administered by a nurse or other appropriate health care provider.

(d) Before dispensing an opioid prescription for the first time to a patient or patient's agent, or upon a dose increase, a pharmacist or pharmacist intern shall advise the patient about the potential dangers of opioid dependency, overdose, and interactions. (Eff. 1/16/98, Register 145; am 5/15/2004, Register 170; am 7/9/2017, Register 223; am ____/____/_____, Register _____)

Authority: AS 08.80.005 AS 08.80.030 AS 08.80.480

12 AAC 52.610 is repealed and readopted to read:

12 AAC 52.610. Wholesale drug distributor license. (a) An applicant for a wholesale drug distributor license shall submit the requirements in (b) of this section for review and approval by the executive administrator. An application that does not clearly demonstrate qualifications for licensure must be reviewed and approved by the board.

(b) The board will issue a wholesale drug distributor license to an applicant who

(1) submits a completed application on a form provided by the department;

(2) pays the applicable fees required in 12 AAC 02.310;

(3) provides the name of the facility manager who will manage the wholesale distribution of drugs or devices for the wholesale drug facility;

(4) submits an attestation that

(A) a self-inspection of the premises using the form provided by the department was completed within the last two years; or

(B) a Verification Accredited Wholesale Distributors (VAWD) inspection

has been completed; and

(5) submits a copy of a current valid license, permit, or registration to conduct operations in the jurisdiction in which it is located, if the applicant is a wholesale drug distributor located outside of this state.

(c) Within 30 days after a change in physical address, ownership, or name, the wholesale drug distributor must apply for a new and separate wholesale drug distributor license in accordance with this section.

(d) When a wholesale drug distributor ceases operations, the facility manager of the wholesale drug distributor shall notify the board on a form provided by the department of the cessation of operations; the form must be submitted within 10 days after the cessation of operations. (Eff. 1/16/98, Register 145; am 8/21/2002, Register 163; am 1/17/2007, Register 181; am 6/29/2018, Register 226; am 10/31/2019, Register 232; am ____/____/_____, Register _____)

Authority: AS 08.80.005 AS 08.80.157 AS 08.80.480
AS 08.80.030 AS 08.80.159

The introductory language of 12 AAC 52.620(a) is amended to read:

12 AAC 52.620. Wholesale drug facilities. (a) A wholesale drug facility in which drugs **or devices** are stored, repacked, or sold to persons, businesses, or government agencies that may legally purchase drugs **or devices** must

• • •

12 AAC 52.620(a)(6) and (7) are amended to read:

(6) restrict entry into areas inside the facility where drugs **or devices** are stored;

entry must be open to authorized personnel only;

(7) have a quarantine area for storage of drugs **or devices** that are outdated, damaged, deteriorated, misbranded, or adulterated, or that are in a secondary container that has been opened or the seal of which has been broken;

12 AAC 52.620(d) is amended to read:

(d) A wholesale drug distributor facility seeking to ship into or distribute prescription drugs **or devices** in this state must first verify that the purchaser of the prescription drugs holds a valid license under **AS 08** [AS 08.80]. (Eff. 1/16/98, Register 145; am 10/31/2019, Register 232; am ____/____/_____, Register _____)

Authority: AS 08.80.005 AS 08.80.157 AS 08.80.480
AS 08.80.030 AS 08.80.159

12 AAC 52 is amended by adding a new section to read:

12 AAC 52.635. Facility manager. (a) A facility manager of a wholesale drug distributor, outsourcing facility, or third-party logistics provider designated to replace the facility manager of a facility shall notify the board within 10 days of that designation, by submitting a completed change of facility manager notice on a form provided by the department. The outgoing facility manager shall also notify the board within 10 days on a form provided by the department.

(b) A facility manager may be in charge of more than one location and may be designated as the facility manager for multiple facilities simultaneously. (Eff. ____/____/_____, Register _____)

Authority: AS 08.80.005 AS 08.80.157 AS 08.80.480
AS 08.80.030 AS 08.80.159

12 AAC 52.696 is repealed and readopted to read:

12 AAC 52.696. Outsourcing facilities. (a) An applicant for an outsourcing facility license shall submit the requirements in (b) of this section for review and approval by the executive administrator. An application that does not clearly demonstrate qualifications for licensure must be reviewed and approved by the board.

(b) The board will issue an outsourcing facility license to an applicant who

(1) submits a complete application on a form provided by the department;

(2) pays the applicable fees required in 12 AAC 02.310;

(3) provides the name of the designated facility manager;

(4) submits an attestation that a self-inspection of the premises using the form provided by the department was completed within the last two years; and

(5) submits the results of the most recent Good Manufacturing Practice (GMP) inspection by the United States Food and Drug Administration.

(c) Within 30 days after a change in physical address, ownership, or name, the outsourcing facility must apply for a new and separate outsourcing facility license in accordance with this section.

(d) When an outsourcing facility ceases operations, the facility manager must submit to the board a written notice of the cessation of operations. The written notice must be submitted within 10 days after the cessation of operations and include

(1) the date the outsourcing facility ceased operations; and

(2) arrangement for the records of the outsourcing facility to be retained for two years.

(e) The outsourcing facility must be registered as an outsourcing facility and compliant with the United States Food and Drug Administration (FDA) under sec. 503b, P.L. 113-54 (Food

Drug and Cosmetic Act). (Eff. 10/31/2019, Register 232; am ____/____/_____, Register _____)

Authority: AS 08.80.005 AS 08.80.159 AS 08.80.480

AS 08.80.030

12 AAC 52.697 is repealed and readopted to read:

12 AAC 52.697. Third-party logistics providers. (a) An applicant for a third-party logistics provider license shall submit the requirements in (b) of this section for review and approval by the executive administrator. An application that does not clearly demonstrate qualifications for licensure must be reviewed and approved by the board.

(b) The board will issue a third-party logistics provider license to an applicant who

(1) submits a complete application on a form provided by the department;

(2) pays the fees required in 12 AAC 02.310;

(3) provides the name of the designated facility manager; and

(4) submits an attestation that a self-inspection of the premises using the form provided by the department was completed within the last two years.

(c) Within 30 days after a change in physical address, ownership, or name, the third-party logistics provider must apply for a new and separate third-party logistics provider license in accordance with this section.

(d) When a third-party logistics provider ceases operations, the facility manager must submit to the board a written notice of the cessation of operations. The written notice must be submitted within 10 days after the cessation of operations and include

(1) the date the third-party logistics provider ceased operations; and

(2) arrangement for the records of the third-party logistics provider to be retained for two years. (Eff. 10/31/2019, Register 232; am ____/____/_____, Register _____)

Authority: AS 08.80.005 AS 08.80.159 AS 08.80.480

AS 08.80.030

12 AAC 52.860 is amended by adding a new subsection to read:

12 AAC 52.860. Access to and conditions for use of the prescription drug monitoring program database.

• • •

(f) For the purposes of AS 17.30.200(d)(9), "state medical examiner" means an employee of the State Medical Examiner's Office who has requested access in writing to the board before the release of information. (Eff. 12/29/2011, Register 200; am 6/7/2018, Register 226; am ____/____/_____, Register _____)

Authority: AS 08.80.005 AS 08.80.030 AS 17.30.200

12 AAC 52.865 is repealed and readopted to read:

12 AAC 52.865. Reporting and reviewing PDMP information. (a) Unless excused from reporting under AS 17.30.200(t), a pharmacist-in-charge must submit information on behalf of the employing pharmacy required under AS 17.30.200(b) and other details required by the American Society of Automation in Pharmacy (ASAP), if the pharmacist-in-charge is not present, a pharmacist or third-party vendor may report on behalf of the pharmacy. A practitioner, practitioner's delegate, or third-party vendor may also report on behalf of the practitioner.

(b) Unless excused from reporting under AS 17.30.200(t), a pharmacist or practitioner required to submit information under AS 17.30.200(b) must submit the information to the PDMP daily.

(c) If the pharmacist or practitioner did not dispense any Schedule II, III, or IV controlled

substances on the previous day, the pharmacist or practitioner must submit a zero report.

(d) The time computation under 12 AAC 02.920(b) applies to a submission of information under AS 17.30.200(b) and this section.

(e) For the purposes of AS 17.30.200(b)(1), "other appropriate identifier" and for the purposes of 17.30.200(b)(8), "other appropriate identifying information" mean the state-issued license number of the prescribing practitioner and state-issued license number of the dispensing pharmacist or practitioner.

(f) Not later than 72 hours after discovering an error in information submitted under AS 17.30.200(b), a pharmacist or practitioner required to submit the information under AS 17.30.200(b) must notify the PDMP administrator. The time computation under 12 AAC 02.920(b) applies to a submission of information correcting an error in information submitted under AS 17.30.200(b).

(g) Unless excused from reporting under AS 17.30.200(t), or a waiver is granted under 12 AAC 52.870, a pharmacist or practitioner required to submit information under AS 17.30.200(b) must submit the information to the PDMP electronically through the website provided by the board.

(h) Unless excused from reviewing the PDMP under AS 17.30.200(k)(4)(A) – (B), a practitioner, but not a pharmacist, must review the information in the PDMP to check a patient's prescription records before dispensing, prescribing, or administering a schedule II or III controlled substance under federal law. (Eff. 12/29/2011, Register 200; am 6/7/2018, Register 226; am ____/____/_____, Register _____)

Authority: AS 08.80.005 AS 08.80.030 AS 17.30.200

12 AAC 52.990 is amended to read:

12 AAC 52.990. Display of license certificate. A licensee shall conspicuously display, in the practice site, the licensee's current license certificate. [PENDING RECEIPT OF THE CURRENT LICENSE CERTIFICATE FROM THE DEPARTMENT, THE LICENSEE SHALL DISPLAY THE DEPARTMENT'S INTERNET WEB SITE POSTING CONFIRMING LICENSURE. THE CURRENT LICENSE CERTIFICATE, OR WEB SITE POSTING CONFIRMING LICENSURE, OF A LICENSEE PRACTICING IN AN INSTITUTIONAL FACILITY MAY BE DISPLAYED IN A CENTRAL LOCATION.] (Eff. 1/16/98, Register 145; am 6/2/2004, Register 170; am ____/____/_____, Register _____)

Authority: AS 08.80.005 AS 08.80.030