



SC DEPARTMENT OF LABOR, LICENSING, & REGULATION

BOARD OF PHARMACY

newsletter to promote pharmacy and drug law compliance

Congratulations to Dr Leo Richardson

On September 30, 2021, Dr Leo Richardson retired from service as the lay member of the South Carolina Department of Labor, Licensing, & Regulation – Board of Pharmacy. Dr Richardson has served the citizens of South Carolina in this capacity since being appointed by then-Governor Jim Hodges in June 2000. Board members and staff would like to thank Dr Richardson for his years of faithful service and dedication to the profession of pharmacy.

Eighth and Ninth Amendments to Declaration Under the PREP Act

On August 4, 2021, the secretary of the United States Department of Health and Human Services (HHS) issued the eighth amendment to the Declaration under the Public Readiness and Emergency Preparedness Act (PREP Act). As you may recall, a previous amendment authorized certain pharmacy personnel to administer certain vaccines, including the coronavirus disease 2019 (COVID-19) vaccine.

The eighth amendment “expand[s] the scope of authority for qualified pharmacy technicians to administer seasonal influenza vaccines to adults within the state where they are authorized to practice and for interns to administer seasonal influenza vaccines to adults consistent with other terms and conditions of the Declaration.”

Thus, the Declaration currently covers:

State-licensed pharmacist[s] who [order] and [administer], and pharmacy interns and qualified pharmacy technicians who administer (if the pharmacy intern or technician acts under the supervision of such pharmacist and the pharmacy intern or technician is licensed or registered by his or her State board of pharmacy), (1) vaccines that the Advisory Committee on Immunization Practices (ACIP) recommends to persons ages three through 18 according to ACIP’s standard immunization schedule or (2) seasonal influenza vaccine administered by qualified pharmacy technicians and interns that the ACIP recommends to persons aged 19 and older according to ACIP’s standard immunization schedule; or (3) FDA authorized or FDA licensed COVID-19 vaccines to persons ages three or older. Such State-licensed pharmacists

and the State-licensed or registered interns or technicians under their supervision are qualified persons only if [certain] requirements [contained in the amended Declaration] are met.

On September 14, the ninth amendment was issued. In the ninth amendment, the secretary “expand[s] the scope of authority for licensed pharmacists to order and administer and qualified pharmacy technicians and pharmacy interns to administer COVID-19 therapeutics subcutaneously, intramuscularly, or orally as authorized, approved, or licensed by the U.S. Food and Drug Administration (FDA).”

More specifically, it provides that:

A State-licensed pharmacist who orders and administers, and pharmacy interns and qualified pharmacy technicians who administer (if the pharmacy intern or technician acts under the supervision of such pharmacist and the pharmacy intern or technician is licensed or registered by his or her State board of pharmacy) FDA authorized, approved, or licensed COVID-19 therapeutics. Such State-licensed pharmacists and the State-licensed or registered interns or technicians under their supervision are qualified persons only if [specific] requirements are met.

You may view the complete eighth and ninth amendments to the Declaration under the [PREP Act](#).

Finally, as a reminder, the PREP Act preempts, or supersedes, state law. Thus, the Board has no jurisdiction over practice occurring under the authority granted by the PREP Act, and any questions regarding the declarations should be directed to HHS.

Upcoming Board Vacancy

Do you live in the Third Congressional District? Are you interested in serving on the Board? Here is your opportunity! You must meet the following requirements:

- Reside in the Third Congressional District
- Be licensed and actively practicing pharmacy in South Carolina
- Before December 1, 2021, submit to the Board office a biography and petition bearing signatures of at least 15 pharmacists practicing in your respective congressional district

The term will begin on July 1, 2022, and ends on June 30, 2028. After receiving biographies and petitions, the Board administrator will:

- Prepare and mail ballots by January 15, 2022, to all pharmacists who have notified the Board that they reside in the Third Congressional District
- Certify as true and valid all ballots postmarked before February 15, 2022, and received by the Board office before February 25, 2022

Before March 1, 2022, the Board will certify in writing to the governor the names of the three candidates receiving the most votes in the election and the name of the person who the nominee will replace on the Board. The new member, when appointed by the governor, will take office on July 1 of that year. If you are interested in becoming a candidate for this position and have questions, please contact the Board office at 803/896-4700.

Updated Permits and Inspection Forms

In 2019, the General Assembly passed regulations implementing additional permit types for certain permitted entity types. These include in-state wholesale/distributor, outsourcing facilities, and manufacturer/repackager. Facilities that have these business types currently hold non-dispensing drug outlet permits. As the upcoming renewal cycle opens, the existing facilities' permits will be converted from non-dispensing drug outlet permits to the more appropriate permit types. Those facilities affected will be notified beginning in January 2022. In addition, any new application after January 1, 2022, will receive the updated permit type.

Each of the new facility types will have an updated inspection form that is more specific to their business. A copy of the updated inspection will be provided in conjunction with the new permit notification.

Remote Order Processing

At the September 2021 meeting, the Board updated [Policy and Procedure #147](#) regarding remote order processing. In summary, the policy outlines the use of a pharmacist for remote order entry/processing from an unpermitted location under certain circumstances.

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