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# TENNESSEE BOARD OF PHARMACY

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*newsletter to promote pharmacy and drug law compliance*

## ***Board Includes ACPE Immunization Certification for Pharmacy Technicians in Ratio but Not for Allowance of Additional Duties***

At the Tennessee Board of Pharmacy meeting held September 14, 2021, the Board approved a policy regarding the pharmacist-to-technician ratio, as technician responsibilities now include immunizations with the proper certifications defined by the United States Department of Health and Human Services. The Board indicated that an Accreditation Council for Pharmacy Education (ACPE) immunization-certified pharmacy technician would be counted as a certified technician in the pharmacist-to-technician ratio for the purposes of giving vaccines, but does **not** allow for additional duties of a certified technician such as:

- receiving new or transferred oral medical and prescription orders;
- receiving and transferring copies of oral medical and prescription orders between pharmacy practice sites; and
- verifying the contents of unit dose carts/automated dispensing systems prepared by other registered technicians when an additional verification by use of barcode technology or a licensed health care professional is performed prior to administration to the patient, as indicated in Board rule 1140-02-.02(5).

The Board clarified that a waiver must be submitted to the office through the [link](#) on the Board website if a ratio of more than four technicians to one pharmacist is needed, and that the pharmacist-in-charge of the specific pharmacy practice site must be the one to request the waiver.

## ***Policy for Remote Order Entry by Technicians***

For the full Board policy statement, including best practice regarding remote order entry by pharmacy technicians, click [here](#).

## ***Public Chapter 569 (aka 'the PBM Law') Has Passed!***

Public Chapter (PC) 569, parts one through four, took effect on July 1, 2021. For detailed information, click [here](#). To file a complaint with the Tennessee Department of Commerce and Insurance, click [here](#).

## ***From the Compounding Corner***

### ***PC 149 Requires All Compounding to Be Included in Regulation***

As of April 13, 2021, US Pharmacopeia Chapter (USP) <795> (the nonsterile compounding chapter) is in effect in Tennessee due to wording in [PC 149](#). It is strongly encouraged that all Board registrants download the most current version. Review the requirements for compounding records and start following the regulation if not already doing so. Also, it is strongly encouraged to review the beyond-use date (BUD) section and what is now required on the preparation label, including the following from USP Chapter <795> in part: "The preparation container is labeled according to all applicable state and federal laws. The labeling **shall include the BUD and storage and handling information. The labeling should indicate that 'this is a compounded preparation.'**" (emphasis added)

### ***Pharmacies Move to Electronic Record Keeping but May Not Be Recording All Required Data***

As pharmacies have now decided to keep prescriptions stored electronically, it is important to verify that your computer software is keeping the required data to meet state and federal compliance. It is strongly advised that you review Drug Enforcement Administration (DEA) Code of Federal Regulations (CFR) [1304.06 \(c-f\)](#) and Board rule [1140-03-.03 \(4a-e\)](#). Investigators have found that some software systems do not record the correct dispensing pharmacist's initials or the correct dispensing date.

### ***Tennessee Pharmacy Recovery Network***

If you need help with addiction or know an associate (pharmacist or pharmacy technician) who does, please contact Dr Baeteena Black, Tennessee Pharmacy Recovery Network (TPRN) program director, by phone at 615/256-3023 or by email at [bblack@tnpharm.org](mailto:bblack@tnpharm.org). More information, including the reporting form, is located on the TPRN [website](#).

### ***Disciplinary Actions***

For disciplinary actions taken against registrants licensed with the health-related boards, click [here](#).

### ***Report Theft or Significant Loss***

Per Title 21, CFR, Section 1301.76(b), registrants must notify their local DEA office, in writing, of the theft or significant loss of controlled substances within one business day of discovery. Tennessee registrants may now satisfy this requirement by submitting all relevant information via email to [tntheftorloss@usdoj.gov](mailto:tntheftorloss@usdoj.gov). Registrants must still complete DEA Form 106 and may do so online via the DEA [website](#). You shall also satisfy the Board regulation to immediately report theft or loss and may do so by sending a copy to Dr Terry Grinder at [terry.grinder@tn.gov](mailto:terry.grinder@tn.gov). Questions? Contact a DEA diversion investigator.

- **West Tennessee Office:** DEA/Attn: Diversion Group  
Diversion Group Supervisor Jacqueline Jordan  
50 North Front Street, Suite 500  
Memphis, TN 38103  
jacqueline.r.jordan@dea.gov  
571/362-2274
- **Middle Tennessee Office:** DEA/Attn: Diversion Group  
457 McNally Drive  
Nashville, TN 37211  
Registration questions: 833/636-8335  
Fax: 615/333-9568  
Supervisory Diversion Investigator James N. Stevens  
Office: 571/362-7674  
Direct Line: 571/362-7113  
**This office prefers first contact by phone before use of email due to excessive spam.**
- **East Tennessee Office:** DEA/Attn: Diversion Group  
Diversion Group Supervisor Mark Armstrong  
624 Reliability Circle  
Knoxville, TN 37932  
mark.a.armstrong@usdoj.gov  
865/584-9364

### **DEA Offers Online Reference for CFR**

According to James Stevens, supervisory diversion investigator for DEA, Nashville, TN office, the electronic version of Title 21, CFR, Part 1300 et al is now available online. "It is updated frequently and is used by DEA to update the CFR on this [website](#)," said Stevens. He explained that it will be the most up-to-date version available.

### **Board Meeting Schedule**

The Board extends an open invitation for all registrants and the general public to attend its public meetings at 665 Mainstream Drive, Nashville, TN 37243. The meetings are currently scheduled to begin at 9 AM. It is advised to check for schedule changes on the Board website under the [Meeting Schedule](#) tab.

#### **The 2022 meeting schedule is as follows:**

- January 11-12
- March 8-9
- May 10-11
- July 12-13
- September 13-14
- November 8-9

## Tennessee Board of Pharmacy Members

- Dr Katy Wright, President
- Dr Adam Rodgers, Vice President
- Dr Melissa McCall, Board Member
- Dr Richard Breeden, Board Member
- Dr Shanea McKinney, Board Member
- Dr Rissa Pryse, Board Member
- Mr Jake Bynum, Public Member

### **National Pharmacy Compliance News Now Available!**

Visit NABP's website for the latest regulatory updates and news from FDA, USP, NABP, and more.

**[Read National News](#)**

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*Katy Wright, PharmD, DPh - Tennessee Board of Pharmacy President & Newsletter Editor*

*Terry Grinder, DPh - Interim Executive Director & Newsletter Editor*

*Scott G. Denaburg, PharmD, DPh, CISC - Contributor & Tennessee Board of Pharmacy Investigator*

*Lemrey "Al" Carter, PharmD, MS, RPh - National News Editor & Executive Editor*

*Amy Sanchez - Publications and Editorial Manager*

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**665 Mainstream Drive | Nashville, TN 37243**  
**<https://www.tn.gov/health/health-program-areas/health-professional-boards/pharmacy-board.html>**

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