



ALABAMA STATE BOARD OF PHARMACY

newsletter to promote pharmacy and drug law compliance

Workload Conditions in the Pharmacy

There is a growing discussion among pharmacy boards throughout the country about workload conditions in pharmacy. In that discussion, there are many issues contributing to workplace dissatisfaction. It is important to understand that issues related to dissatisfaction in workplace conditions may not fall under the authority of any board of pharmacy unless it involves an adverse result to the safety of patients. The Alabama State Board of Pharmacy was established to ensure the safety of the public health. The Board is not an advocate for pharmacists or technicians but for the patients they serve.

One concern of dissatisfaction addresses board of pharmacy disciplinary actions and the focus on the individual licensee and not on the permit or the root cause. The Board has several actions that do address the root cause as well as the permit.

Board Rule **680-X-2-.12 Supervising Pharmacist** specifically states:

(6) If the actions of the permit holder have deemed to contribute to or cause a violation of any provision of this section, the Board may hold the permit holder responsible and/or absolve the supervising pharmacist from the responsibility of that action. In addition, it is a violation of this rule for any person to subvert the authority of the supervising pharmacist by impeding the management of any pharmacy in relation to compliance with federal and state drug or pharmacy laws and regulations. Any such act(s) may result in charges being filed against the permit holder.

To fully understand the impact of the above-cited section, it should be read with the following sections of **680-X-2-.22 Code of Professional Conduct** in mind.

- (2) (a) A pharmacist and a pharmacy should hold the health and safety of patients to be of first consideration and should render to each patient the full measure of professional ability as an essential health practitioner.
- (2) (f) A pharmacist and a pharmacy should not agree to practice under terms or conditions that interfere with or impair the proper exercise of professional judgment and skill, that cause a deterioration of the quality of professional services, or that require consent to unethical conduct.

As a supervising pharmacist, the pharmacist is responsible for ensuring compliance with all statutes and Board rules. This includes, but is not limited to, ensuring an environment for the safe practice of pharmacy.

In October, the Board implemented accuracy audits pursuant to complaints (by consumers, pharmacists, physicians, etc) of prescription errors. These audits are not intended to solely initiate disciplinary action on a practitioner for a prescription error. This practice will allow for review of processes, staffing, and other issues to help identify root causes for errors. Investigators will complete the audit and the results will be reviewed by licensed Board staff. Board staff will review the results to identify if there is an issue with training, workflow, physical conditions, etc, that may adversely affect the safety of patients, or that otherwise falls within the authority of the Board to regulate. Board staff will complete a report for the Board members to review next steps and where to appropriately notify the pharmacy of its concerns or potential disciplinary actions.

The Supervising Pharmacist rule, Code of Professional Conduct rule, and accuracy audits are in place to aid in the Board's ability to ensure the safety of the public health. However, it is always ultimately the pharmacist's responsibility to be on the front line to protect the public. The Board believes that these rules provide a pharmacist with the support to make decisions to ensure a safe work environment. If the pharmacist does not feel like they can practice in a safe environment, the pharmacist has a professional responsibility to report the unsafe environment to the Board.

Reports may be made via the Board [website](#), phone call, or email to dyeatman@albop.com. Should the pharmacist feel the necessity to provide the report anonymously, the report must contain sufficient information for the Board to follow up on the complaint.

Another concern that is commonly addressed is pharmacists' lack of breaks. The Board recognized the need for pharmacists to have the ability to take a break and leave the pharmacy for a short period of time.

Per Alabama Board Rule **680-X-2-.28 Temporary Absences of Pharmacists During Break and Meal Period**, Alabama allows a pharmacist working in a "pharmacy that is staffed by a single pharmacist . . . [to] leave the pharmacy area or department, temporarily, for breaks and meal periods without closing the pharmacy and removing interns/externs and technicians from the pharmacy, **if** the pharmacist reasonably believes that the security of the controlled substances will be maintained in [their] absence." (emphasis added).

The rule further allows the pharmacist to close the pharmacy if the pharmacist, in their professional judgment, determines that the pharmacy should be in their absence, and remove that all interns/externs and technicians from the pharmacy during their absence.

The temporary absence authorized by this rule shall be limited to 30 minutes. The pharmacist shall remain within the facility during the break period and be available to handle all emergency situations. The pharmacist should not leave the facility (the physical confines of the permitted facility). This means the pharmacist may not sit in the parking lot, step across the street for coffee, etc.

To improve the overall workforce, the Board amended **680-X-2-.14 The Role of Technicians in Pharmacies in Alabama** to add training requirements for registered technicians. The training requirements are minimal requisites for a technician to ensure that the technicians will have a basic understanding of tasks that will be performed by a technician. The training also requires technicians to learn the regulatory parameters of allowable actions and functions of technicians.

With the challenge of staffing and increased demand on pharmacists, now more than ever, pharmacists must maintain their professional conviction to ensure that no harm comes to any Alabama patient. Pharmacists have the privilege to care for patients and make a tremendous impact on their patients' lives. The Board has statutes and rules to aid pharmacists in this vocation. The Board encourages pharmacists to stand with the certainty that they alone know what is in the best interest of the patients they serve.

***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

The Alabama State Board of Pharmacy News is published by the Alabama State Board of Pharmacy and the National Association of Boards of Pharmacy Foundation® (NABPF®) to promote compliance of pharmacy and drug law. The opinions and views expressed in this publication do not necessarily reflect the official views, opinions, or policies of NABPF or the Board unless expressly so stated.

Donna Yeatman, RPh, Executive Secretary - State News Editor

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

Amy Sanchez - Publications and Editorial Manager

111 Village St | Birmingham, AL 35242 | Tel: 205/981-2280 | Fax: 205/981-2330
