OCTOBER 2022

NEW MEXICO BOARD OF PHARMACY

newsletter to promote pharmacy and drug law compliance

Significant Adverse Drug Events

1. A 60-year-old female patient received levothyroxine intended for another patient when she picked up her medications from a retail pharmacy. The two patients shared the same first and last name. After taking the incorrect medication for several days, the patient felt sweaty and anxious and had a decreased appetite. The pharmacist attributes the error to a break in process, as the bottle was not scanned at the register and thus the technician was not prompted to enter a date of birth (DOB) verification into the computer system. The pharmacist recommended that staff review the policies and procedures, which state that the DOB must be verbally verified, the prescription bottle scanned, and then the DOB entered into the register/computer as a check.

2. A 76-year-old male patient was prescribed vitamin D 5,000 IU but was given vitamin D 50,000 IU by the pharmacy. After taking approximately 200 doses, the patient reported diarrhea, constipation, and abdominal pain. The patient's provider noted high vitamin D levels and required multiple lab draws while the levels were corrected. The pharmacist attributes the error to a non-matched National Drug Code and manual entry of an over-the-counter (OTC) vitamin. As a result of the error, the pharmacy no longer fills OTC prescriptions without coverage by insurance and/or specific request from the patient.

3. A 45-year-old female patient was prescribed Butalbital-APAP-Caffeine-Codeine but was given Butalbital-ASA-Caffeine by the dispensing pharmacy. The patient did not report symptoms after taking six doses of the incorrect medication. The pharmacist noted that the error occurred

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after working long days (11 hours) in addition to working eight straight days with fewer pharmacy technicians (one present at time of error). The pharmacist attributes the error to a break in policy; different people are required to look at the prescription during the filling process. As a result of the error, the pharmacist requested their company hire more technicians.

4. An 85-year-old female patient with atrial fibrillation and high blood pressure received Xarelto® 20 mg at a retail pharmacy in place of amiodarone 200 mg. Both medications were prescribed to the patient, but the patient asked to get Xarelto later due to scheduled surgery. The pharmacist attributes the error to an insurance issue; the amiodarone label had to be reprinted due to insurance, but the label was attached to the Xarelto prescription bottle. The patient took Xarelto tablets according to the amiodarone directions (two tablets twice daily) and experienced a bleeding complication during surgery. As a result of the error, all prescriptions must be shown to the pharmacist if updated for insurance reasons, even if the computer system does require another final check by the pharmacist.

Disclaimer: These suggestions are made by the pharmacist submitting the Significant Adverse Drug Event Report. *Newsletter* publication of recommendations is not an indication of endorsement by the New Mexico Board of Pharmacy.

Fifty-Year Pharmacists

The following is the current list of pharmacists who have been licensed by the state of New Mexico for at least 50 years and who also maintain an active license. The Board thanks you for your service and dedication to the profession of pharmacy and the citizens of New Mexico.

- Joseph A. Baca
- Nick H. Brown
- Wilfred O. Chavez
- Drexel Douglas
- Arturo Figueroa
- Johnny L. Goad
- Louis J. Herrera
- Jack F. Lerner
- Delbert W. Lopez
- Allan W. Ludwick
- Daniel M. Pearce
- Larry D. Quintana
- Don W. Boyd
- Patricia A. Cantwell
- Ronald E. Costales
- George E. Downs
- Robert Ghattas
- Richard Gomez
- Dale L. Kemper
- William L. Long
- Leo F. Lopez
- Lewis Dale McCleskey
- Donald Peters
- John R. Stroh

This year, there are eight newcomers to this distinguished list. They are Joseph Baca, Don Boyd, Patricia Cantwell, Ronald Costales, Johnny Goad, Louis Herrera, Leo Lopez, and Donald Peters. Thank you for all you do.

Regulatory Updates

The Board, during its July 2022 meeting, approved the following rule updates:

- 16.19.4 New Mexico Administrative Code (NMAC) – Pharmacist. Sections 9, 16, and 17 had administrative updates. Section 9 was amended to exclude dispensing other opioid antagonists as authorized in Section 24-23-1 New Mexico Statutes Annotated 1978 from the definition of unprofessional or dishonorable conduct. Section 11 was amended to include Schedule V in drugs that may not be returned to inventory under return of patient medication package drugs. New subsections under "Consultant Pharmacist - Clinic Facility" were created for Class E clinics, specifying consultant pharmacist visitation frequency and activities. Section 12 clarified wording to specify that a licensee must appear before the Board as a condition of consideration of reinstatement. Section 17 was amended to include Schedule III in the requirement for pharmacist clinician utilization of prescription monitoring program(s) in opioid treatment programs.

- 16.19.10 NMAC – Limited Drug Clinics. Section 1 had an administrative update. Section 3 was amended to include administrative updates and reference additional paragraphs of Subsection B of Section 61-11-14 to correspond to listed facility types. The Board also amended facility types listed to correspond to limited drug clinic categories. Section 7 was amended to define "Mobile Narcotic Treatment Program." Section 10 was amended to include Schedule V controlled substances (CS) in records that may be kept in the same record as dangerous drugs with entry identification. In Section 11, the Board updated statute citation and added new Subsection E – "Class E Narcotic Treatment Program (NTP)." Under Patient Counseling, the changes specify additional allowance for use of alternative forms of patient information to supplement patient counseling, when appropriate. Under Drug Storage, specifications were added for Class E clinics identifying that a 96 square foot room is required at minimum. The subsection related to the disposition of unwanted or outdated drugs was amended to add the specification that CS disposition shall occur in accordance with 16.19.20.38 NMAC. New Section T was added, outlining NTP clinic requirements.

Disciplinary Actions

ACP Pharmacy – CS00225793. Voluntary surrender. The Board accepted the surrender of respondent's CS registration.

Anthony Baldonado, Technician applicant. Application denial. The Board denied this technician application.

Matthew Glaser, Technician applicant. Application denial. The Board denied this technician application.

Joshua Rodriguez, Technician applicant. Application denial. The Board denied this technician application.

Roderick Rodriguez – PT00014397. Settlement agreement. The Board accepted a settlement agreement with the following terms: 1) five-year probation period; 2) must comply with all laws, statutes, and regulations relating to the practice of pharmacy; and 3) must ensure that all future applications for registration or licensure by the Board are accurate and complete.

Mike Gallegos – PC00000274. Settlement agreement. The Board accepted a settlement agreement with the following terms: 1) respondent agrees to surrender Board-issued pharmacist clinician license and may not reapply for a period of five years; 2) respondent must appear before the Board if they wish to renew the license after five years; and 3) respondent must pay a fine of $600.

2022 Law Update Schedule

Upcoming Albuquerque Pharmacy Law Lecture Dates:

- October 7, 2022
- November 4, 2022
- December 2, 2022

Upcoming Pharmacy Law Lecture Dates (Outside of Albuquerque):

- **November 8, 2022 –** Carlsbad Medical Center; Carlsbad, NM
- **November 28, 2022 –** Memorial Medical Center; Las Cruces, NM
- **November 29, 2022 –** MountainView Regional Medical Center; Las Cruces

Because of coronavirus disease 2019 restrictions, some of the law update reviews may be held as webinars. The most up-to-date information on review format and the full list of law updates can be found on the Board website.

Reminders

Be sure to submit Adverse Drug Event reports to the Board within **15 days of discovery**. This is required by regulation and could potentially result in disciplinary action if not compliant. This report **must** include an appropriate root cause analysis with recommendation(s) for improvement.

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