



OKLAHOMA STATE BOARD OF PHARMACY

newsletter to promote pharmacy and drug law compliance

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National Pharmacy Compliance News

A Service of the National Association of Boards of Pharmacy Foundation (NABPF)

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

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22.84 Relocation of the Pharmacy Board

The Oklahoma State Board of Pharmacy has moved temporarily to a new location while its current building is renovated. Until further notice, the new address is 3812 N Santa Fe Ave, Ste 300, Oklahoma City, OK 73118.

22.85 Recognition

The Board would like to extend a big **thank you** to three people who previously served on the Continuing Education Committee for an extensive period of time:

- Dr Loyd Allen
- Barbara Poe
- Phil Woodward

22.86 Access to Drug Rooms

There have been several issues with multiple nurses having access to drug rooms after hours. The rules below are related to access to the drug room when a pharmacist or drug room supervisor is not present. There are similar rules that apply to access of a hospital pharmacy when a pharmacist is not present (See Oklahoma Administrative Code (OAC) Section 535:15-5-8).

OAC Section 535:15-6-10. Access to drugs in absence of PIC or drug room supervisor

(c) Access to drug room. Whenever any drug is not available from floor supplies or night cabinets, and such drug is required to treat the immediate needs of a patient whose health would otherwise be jeopardized, such drug may be obtained from the drug room in accordance with the requirements of this paragraph.

(1) One supervisory registered professional nurse and only one in any given shift is responsible for removing drugs from the hospital drug room. The responsible nurse may, in time of emergency, delegate this duty to another nurse.

(2) The responsible nurse shall, prior to being permitted to obtain access to the drug room, be designated by position in writing by the appropriate committee of the hospital facility; and shall receive thorough education and training in the proper methods of access, removal of drugs, and records and procedures required from the PIC [pharmacist-in-charge].

(3) Such education and training shall be given by the PIC.

(4) The PIC shall require, at a minimum, the following records and procedures:

(A) The removal of any drug from the hospital drug room by an authorized licensed nurse must be recorded on a suitable record showing patient name, room number, name of drug, strength, amount, date, time and signature of nurse; and

(B) The drug room supervisor or the pharmacist shall properly and promptly check such record.

22.87 Prescription Orders

This is a reminder that electronically transmitted prescriptions must meet the definition of electronic prescribing, which is the computer-to-computer transfer of prescription data between pharmacies, prescribers, and payers. It is not the use of an email, text, or a facsimile transaction. Electronic prescribing functions include messages regarding new prescriptions, prescription changes, refill requests, prescription fill status notification, prescription cancellation, and medication history.

Please refer to 21 Code of Federal Regulations §§1311 et seq and OAC §475:30-1-4.

22.88 Transfer of Prescription Refill Information

If you choose to fax prescription transfer information from one pharmacy to another, upon receipt of the faxed information, a licensed pharmacist or licensed intern at the receiving pharmacy shall communicate receipt of the prescription transfer information orally directly with a licensed pharmacist or licensed intern at the originating pharmacy; and shall document the communication, including the last name and registration number of the transferring pharmacists or interns. All controlled dangerous substances (CDS) prescription transfers must be communicated directly between two licensed pharmacists and cannot be done by an intern.

See OAC 535:15-3-12.

22.89 APRNs and PAs

Out-of-State Prescriptions – Drug Enforcement Administration has found pharmacies that are filling CDS prescriptions from out-of-state advanced practice registered nurses (APRNs) and physician assistants (PAs) who do not have the proper licensure for those prescriptions to be filled in Oklahoma.

For a CDS prescription from an out-of-state APRN and PA to be valid in Oklahoma, the APRN and PA would have to be currently licensed in Oklahoma and be supervised by a physician who is currently licensed in Oklahoma.

22.90 Multiple Places of Employment

If you are a pharmacist who works in multiple locations or floats to various stores occasionally, please carry your pharmacist license (small wallet card, not large wall certificate), immunization certificate (or duplicate/copy), and CPR certificate (or duplicate/copy). Board compliance officers will ask for these items upon inspection.

22.91 Disciplinary Actions

Faron Moore, DPh #11118 – Case No. 1641: In addition to completing the required 15 hours of continuing education (CE) for each of the calendar years 2023 and 2024, the respondent is to complete one extra hour of pharmacy management CE for those years. Respondent neither admits nor denies guilt on eight counts, including failing as a pharmacist to adequately supervise, working, or scheduling a pharmacy technician when there is no pharmacist supervising. **Fined \$8,000.**

Samuel Blake DeSpain, DPh #15019 – Case No. 1642: In addition to completing the required 15 hours of CE for the years 2023 and 2024, the respondent is to complete one extra hour of diversion prevention CE for each of the calendar years 2023 and 2024. Respondent admits to guilt on six counts, including failing as a pharmacist to adequately supervise, working, or scheduling a pharmacy technician when there is no pharmacist supervising. **Fined \$6,000.**

(Impaired DPh) Lance Allen, DPh #18762 – Case No. 1644: All CE for the years 2023 and 2024 shall be live. Respondent must remain compliant with their 10-year contract with Oklahoma Pharmacists Helping Pharmacists (OPHP). Respondent must complete a substance use disorder conference or seminar before June 22, 2025. Respondent admits to guilt on two counts, including abuse of alcohol or habit-forming drugs, or use of an illegal CDS, or a positive drug screen for such illegal substance or its metabolite. **Fined \$1,000.**

(Impaired DPh) Dedra A. Butler Classen (also known as Dedra A. Putchaven), DPh #11464 – Case No. 1645: Respondent must remain compliant with their 10-year contract with OPHP. Respondent admits to guilt on one count; making or filing a report or record that a registrant knows or should have known to be false, intentionally or negligently failing to file a report or record required by federal, state, or local laws or rules, willfully impeding or obstructing such filing, or inducing another person to violate this rule. **Fined \$1,000.**

Calendar Notes

Upcoming Holidays: The Board office will be closed on November 11, 2022, for Veterans Day; November 24-25, 2022, for Thanksgiving; and December 26-27, 2022, for Christmas.

Upcoming Board Meeting: The Board is scheduled to meet on November 16, 2022. All meetings begin at 8:30 AM.

Change of Address or Employment?

Please be diligent in keeping your information up to date and, if possible, remind your coworkers and employees. Failure to notify the Board is a violation of Oklahoma pharmacy law. All pharmacists, technicians, and interns must notify the Board in writing within 10 days of a change of address or employment. Online updates through the license renewal page are not

accepted as official notification. Emailed notifications can be sent to pharmacy@pharmacy.ok.gov or faxed to 405/521-3758. License/permit numbers must be included to be accepted.

Special Notice About the Newsletter

The *Oklahoma State Board of Pharmacy Newsletter* is an official method of notification to pharmacies, pharmacists, pharmacy interns, and pharmacy technicians registered by the Board. Please read them carefully. The Board encourages you to keep them for future reference.

OPHP

If you or a pharmacist you care about is suffering from chemical dependency, there is a solution. OPHP is readily available for help. Pharmacists in Oklahoma, Texas, and Louisiana may call the OPHP help-line at 1-800/260-7574, ext 5773. All calls are confidential.

This publication is issued by the Oklahoma State Board of Pharmacy as authorized by Title 59 O.S. 353.7. Copies have not been printed but are available through the agency website. [74 O.S. §3105 and 65 O.S. §3-114]

The Oklahoma State Board of Pharmacy News is published by the Oklahoma 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.

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