



WYOMING STATE BOARD OF PHARMACY

newsletter to promote pharmacy and drug law compliance

Board Welcomes New Member – Jonathan Beattie, MHA, MBA, PharmD, RPh



Jonathan Beattie was appointed to the Wyoming State Board of Pharmacy by Governor Mark Gordon in March 2023. Jonathan graduated from the University of Wyoming School of Pharmacy in 2011. Jonathan has extensive experience working in community/retail pharmacy, nuclear pharmacy, and clinical pharmacy settings across Wyoming. In 2018, he earned his master’s degree in health services administration, and in 2020, he earned his master of business administration degree from the University of Wyoming. Jonathan is the director of pharmacy for the Memorial Hospital of Sweet Water County in Rock Springs, WY.

Emergency Rules Revisions

The Board has proposed emergency rules for the Wyoming Pharmacy Act Rules, Chapter 3 Pharmacy Internship Regulations, and Chapter 16 Immunization Regulations. The reason for the emergency rules was to update the Board’s rules in advance of the May 11, 2023 end date of the public health emergency (PHE) to ensure that no patient care gaps or patient access to pharmacy services were inadvertently created when the PHE ended.

For example:

- Chapter 16 currently references out-of-date Centers for Disease Control and Prevention immunization schedules

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that still reference coronavirus disease 2019 (COVID-19) vaccines as being authorized under an emergency use authorization;

- The requirement from the Public Readiness and Emergency Preparedness Act that pharmacy technicians be CPR certified was inadvertently left out; and
- Pharmacy interns are still required to obtain a separate registration in addition to their intern license in order to administer vaccines (Chapter 3).

These emergency rules clarify that pharmacists may continue to prescribe and administer COVID-19 vaccines after the end of the PHE, as well as make conforming changes so that pharmacy interns and pharmacy technicians may continue to administer vaccines under the supervision of a pharmacist after the end of the PHE.

Public Comment Period Extended for Proposed Revisions to the Wyoming Pharmacy Act Rules and Regulations Chapters 3, 6, 16, and 18

The public comment period for the proposed revisions to the Wyoming Pharmacy Act Rules and Regulations Chapters 3, 6, 16, and 18 has been extended and will now close on June 21, 2023, at 5 PM MDT. Requests for copies of the proposed amendments may be addressed to the Board executive director at 1712 Carey Avenue, Suite 200, Cheyenne, WY 82002. The proposed amended rules and new chapters are posted on the [Wyoming Secretary of State's website](#). Comments may be submitted to the Board by mail using the address above or to bop@wyo.gov on or before June 21, 2023, at 5 PM MDT.

2023 Renewal Reminder

As a reminder, the following license types are up for renewal in Wyoming and will expire on June 30, 2023, unless renewed:

- Resident retail pharmacy licenses
- Resident institutional pharmacy licenses
- Nonresident retail pharmacy licenses
- Wholesale distributor of prescription drugs for human use
- Wholesale distributor of prescription drugs for non-human (veterinary) use
- Wholesale distributor of medical oxygen
- Third-party logistics providers
- Business controlled substance registrations, if the licensee has one
- Individual controlled substance registration expiring on odd years

Online renewals exist for all license types **except** resident retail and resident institutional pharmacies. To renew, online licensees can visit the Board's website at <http://pharmacyboard.wyo.gov/> and hover over the "Renew/Print License" tab, then click on "Business Login" from the drop-down menu. If you do not remember your login credentials, please contact the Board office at bop@wyo.gov or by calling 307/634-9636. Renewal forms are available and can be downloaded from the Board's website by hovering over the "Licensing" tab and selecting the appropriate license type from the drop-down menu.

FDA Guidance for Industry 263 – Antibiotic Stewardship in Veterinary Medicine

The Board does not have the statutory authority to issue a license to farm/feed supply stores. Food and Drug Administration's (FDA's) changes in its guidance for industry #263 – *Antibiotic Stewardship in Veterinary Medicine* effectively require a pharmacy license to be obtained to dispense antimicrobials pursuant to a prescription. The Board's requirements for resident retail pharmacies can be found in the Wyoming Pharmacy Act Rules Chapter 19. In addition to requiring a pharmacy license, and likely also requiring extensive remodeling to meet the Board's physical space requirements for pharmacies, the site would have to be staffed by a pharmacist-in-charge as outlined in the Wyoming Pharmacy Act Rules Chapter 2, Section 5. These are publicly available on the Board's website at <https://pharmacyboard.wyo.gov/laws>. The Wyoming Legislature is aware of these changes and the challenges they present to Wyoming's businesses, farmers, and ranchers. However, given the limited nature of the Wyoming Legislative Session, it may not be until the 2024 Wyoming Legislative Session that legislation can be brought and passed to address this gap. In the meantime, the Board intends to use its regulatory discretion and does not intend to pursue action against businesses that have been engaged in this practice until such time as the Board has the statutory authority to regulate this type of business practice.

Reminder Alert: Healthcare Distribution Alliance Pharmaceutical Cargo Security Coalition Fraud Alert

The Board's September 2022 *Newsletter* had an article on the [Healthcare Distribution Alliance Pharmaceutical Cargo Security Coalition's fraud alert](#) that outlined some new methodologies that are being used to divert both small and large drug shipments. These schemes often involve the impersonation of regulatory personnel, including individuals from state boards of pharmacy and departments of health. They may also involve the impersonation of pharmacy or distributor staff.

The Board has received numerous reports that this scam is ongoing, and pharmacies in Wyoming are being contacted using similar attempts and methodologies. A pharmacy in Casper, WY, reported being contacted by a scammer posing as a Board member, who tried to obtain their wholesale distributor account number. In 2022, a pharmacy in Rock Springs reported being contacted by a scammer posing

as their distributor, who said that they had shipped product to the pharmacy in error and requested that the shipment be returned.

More information is available from the National Association of Boards of Pharmacy® (NABP®). If you experience an attempt at this type of scam, please email cforsaith@hda.org so that it can be shared with law enforcement. The Board encourages pharmacists and pharmacy staff to be diligent and to educate themselves about and be able to prevent these attempts to breach the drug supply chain.

Alert: Fraudulent Prescription Scam

The Board continues to receive alerts from pharmacies across the state that an individual or group of individuals are calling in prescriptions for azithromycin, ibuprofen, and promethazine with codeine. Most of the calls have allegedly come from practitioners in Washington. Recently, these scammers have begun adding over-the-counter items to the list of prescription drugs being called in to the pharmacies. In some instances, they are asking for particular manufacturers of promethazine with codeine, attempting to call multiple sets of prescriptions in at one time, and have requested that the pharmacy ship to another state. In one recent instance, the alleged patient contacted the pharmacy and made multiple attempts to get the pharmacy to mail the prescription. The Board urges pharmacists and pharmacy staff to be cautious and to utilize their professional judgment when exercising their corresponding responsibility, and to carefully evaluate such prescriptions for validity before dispensing.

Final Newsletter Notice

As a reminder, the June 2023 issue will be the Board's final *Newsletter*. Future communications will be emailed to licensees and posts made on the Board's website. Please be sure your email address is correct and current so that you do not miss any important updates and information from the Board. The Board would like to thank NABP for its support in providing such a great resource to Wyoming's pharmacy community.

Fifty-Year Pharmacists

The following pharmacists have held a Wyoming pharmacist license for 50 years and will be honored at the Wyoming Pharmacy Association convention in Casper on August 4-6, 2023:

- John A. Shumway, #1834
- Wayne William Terrell, #1837
- Rocke Dee Darlington, #1857
- Roger E. Maertens, #1865

Congratulations!

Recent Disciplinary Action

E.A., RPh, #4368: Habitual personal use of habit-forming drugs or alcohol and violating the code of ethics: E.A.'s pharmacist license was suspended for three years to run concurrently with respondent's plea agreement. The three-year suspension was **stayed** and E.A.'s pharmacist license placed on probation; and E.A. was required to enter into and comply with a three-year monitoring agreement with the Wyoming Professional Assistance Program.

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