



UTAH BOARD OF PHARMACY

newsletter to promote pharmacy and drug law compliance

2023 Renewal Information

Pharmacies

Do not forget to complete a self-inspection before September 30. On January 27, 2022, a rule change went into effect, which added the requirement that all pharmacies complete a self-inspection at least 90 days before the end of every renewal cycle. This means that a self-inspection should be completed sometime after July 2 and before the expiration date of September 30. This requirement is found in R156-17b-603(3)(u). **Note:** pharmacies are **not** required to submit the completed inspection; however, it should be maintained on record for two years.

Class D Pharmacies: Please note that, as all Class D entities are physically located outside of the state of Utah, you will utilize either your home state's inspection form or NABP's Verified Pharmacy Program® inspection report.

The rules and inspection forms are located on the Division's [website](#).

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Additional Forms

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- Automated Pharmacy System Inspection Form
- Non Sterile Compounding Inspection Form
- Remote Dispensing Pharmacy Inspection Form
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- Volunteer Health Care Practitioner
- Request to Extend: Pharmacy Technician Trainee License

**** All inspection forms can be found on the Division's website under the licensing/additional forms tab.**

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.

[Read National News](#)

Pharmacists

Pharmacists must complete at least 30 hours of continuing education (CE). The requirement for live hours was waived during this license cycle; however, it will resume for the next license cycle. One hour must focus on pharmacy law or ethics. You may obtain CE by attending Board of Pharmacy meetings; meeting attendance qualifies for the pharmacy law or ethics requirement.

A portion of the required CE hours must include 15 hours of the following topics: disease state management/drug therapy, AIDS therapy, patient safety, **or** immunizations.

If pharmacists engage in vaccine administration, administration of prescription drugs, or dispense self-administered hormonal contraceptives, additional specific topics are required for their CE as listed in the rule under R156-17b-309.

Pharmacy Technician

Pharmacy technicians must complete at least 20 hours of CE. The requirement for live hours was waived during this license cycle; however, it will resume for the next license cycle. One hour must focus on pharmacy law or ethics. You may obtain CE by attending Board of Pharmacy meetings; meeting attendance qualifies for the pharmacy law or ethics requirement.

A current Pharmacy Technician Certification Exam or Exam for the Certification of Pharmacy Technicians fulfills the Utah CE requirement, except for vaccine-related topics.

If you engage in vaccine administration, you must complete two hours of vaccine-related CE.

Pharmacy

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Laws and Rules

- [DOPL Licensing Act, 58-1](#)
- [General Rule of the Division of Occupational and Professional Licensing, R156-1](#)
- [Division Utah Administrative Procedures Act Rule, R156-46b](#)
- [Pharmacy Practice Act, 58-17b](#)
- [Pharmacy Practice Act Rule, R156-17b](#)
- [Utah Controlled Substances Act, 58-37](#)
- [Utah Controlled Substance Act Rule, R156-37](#)
- [Controlled Substance Database Act, 58-37f](#)
- [Controlled Substance Database Act Rule, R156-37f](#)
- [Health Care Providers Immunity from Liability Act, 58-13](#)
- [Retired Volunteer Health Care Practitioner Act, 58-81](#)
- [Utah Health Care Malpractice Act, Title 78B, Chapter 3, Part 4](#)
- [Retired Volunteer Health Care Practitioner Act Rule R156-81](#)
- [Dispensing Practice Act, 58-88](#)
- [Dispensing Practice Act Rule, R156-88a](#)

*****All Utah laws and rules that affect the pharmacy profession are listed under the menu option Pharmacy Laws and Rules.***

Utah Pharmacy Licensure Options

Intern License

Individuals recently accepted into an Accreditation Council for Pharmacy Education college of pharmacy program:

1. Apply for the Utah pharmacy intern license no earlier than 90 days prior to starting the pharmacy education program; this will average out to early May.
2. With the active intern license, obtain the required 1,740 hours of practice under the direct on-site supervision of a pharmacist preceptor.

-or-

Individuals who have graduated from a foreign pharmacy school and have received the National Association of Boards of Pharmacy® (NABP®) Foreign Pharmacy Graduate Examination Committee™ Certification:

1. Apply for the Utah pharmacy intern license.
2. With the active intern license, obtain the required 1,440 hours of practice under the direct on-site supervision of a pharmacist preceptor.

The intern license is valid:

1. While the intern remains in the pharmacy education program. If the student leaves, is dismissed, or suspended, the Utah Division of Professional Licensing (DOPL) must be informed.
2. Up to 60 days after the intern has completed the education program, the intern license is no longer valid. At this point, the license holder must transition to either the temporary pharmacist license or the pharmacist license.

Temporary Pharmacist License

Individuals who have recently (within 60 days) graduated from a college of pharmacy program or completed a residency/fellowship:

1. Register for the North American Pharmacist Licensure Examination® and the Multistate Pharmacy Jurisprudence Examination® (MPJE®).
2. Obtain employment at a pharmacy with direct on-site supervision.
3. Apply for the Utah temporary pharmacist license.

-or-

Individuals licensed in another state who are moving to Utah:

1. Register for the MPJE.
2. Obtain employment at a pharmacy with direct on-site supervision.
3. Apply for the Utah temporary pharmacist license.

The temporary license is valid for six months from the date of issuance or upon three failed attempts for either exam. At this point, the license holder must transition to the pharmacist license or request an appointment with the Utah Board of Pharmacy to ask for an additional attempt at the required exam.

Reminder: 'X-DEA' Numbers No Longer Used for New Prescriptions

On December 29, 2022, Congress eliminated the “DATA-Waiver Program,” which previously required providers to obtain an “X-DEA” number to prescribe buprenorphine for opioid use disorder (OUD). The intent of this action is to increase access to buprenorphine to help patients with OUD and prevent overdoses and sustain recovery.

Per a **notice** published by Drug Enforcement Administration (DEA):

- A DATA-Waiver registration is no longer required to treat patients with buprenorphine for opioid use disorder.
- Going forward, all prescriptions for buprenorphine only require a standard DEA registration number. The previously used DATA-Waiver registration numbers are no longer needed for any prescription.
- There are no longer any limits or patient caps on the number of patients a prescriber may treat for opioid use disorder with buprenorphine.
- The Act does not impact existing state laws or regulations that may be applicable.

DEA has determined “X-DEA” numbers will no longer be used for **new** prescriptions; however, DOPL recognizes that valid existing prescriptions issued with X-DEA numbers are still being dispensed by Utah pharmacies. Utah pharmacies can continue to dispense existing prescriptions issued with X-DEA numbers. To allow the least amount of disruption for patients, providers, and pharmacies, the Utah Controlled Substance Database will continue to accept X-DEA numbers.

Common Violations With Utah Pharmacy Inspections

The top five violations found when DOPL performs an inspection are:

1. Not having a current list of licensed employees.
2. Not wearing identification.
3. Initial/annual controlled substance (CS) inventory violations.

4. Not signing and dating CS invoices.
5. Expired medications on the shelf.
1. Pharmacies are required to maintain a list of licensed employees. The list should indicate the name, classification, license number, and expiration date for:
 - pharmacists;
 - interns;
 - technicians; and
 - technician trainees.

This requirement is found in the rule under Section R156-17b-614a(5).

2. While on the topic of staff, all individuals in the pharmacy must wear personal name tags. This requirement in the Pharmacy Practice Act under Utah Code §58-17b-603 includes all individuals in the pharmacy who have contact with the public or patients. The identification is to be worn in a clearly visible and readable location, indicating the individual's name and position.
3. Inventory requirements are located in the rule under Section R156-17b-605. Specific errors include that the inventory is missing a signature; see Subsection 2(h). The requirement in the rule is that the consulting pharmacist, pharmacist-in-charge (PIC), remote dispensing PIC, or dispensing medical practitioner-in-charge shall be responsible for taking required inventories, including indicating the date and time the inventory was completed. It is a requirement for the inventory record to be filed separately from other records. If part of your inventory includes Schedule II CS, you must maintain a perpetual inventory. A copy of the inventories shall be made available to the Division when requested.
4. CS invoices must be signed by a pharmacist, dispensing medical practitioner, or other responsible individual as required in the rule under Section R156-17b-614a(11). The receiving individual must record their initials and date of receipt verifying the invoices were accurately received.
5. All out-of-date or expired products must be removed from the shelf and indicated separately on the inventory report, as required in R156-17b-605(1).

The top five issues when DOPL performs a compounding inspection are:

1. Not having training for hazardous drugs.
2. Not having annual compounding training records.
3. Not having compliant compounding records.
4. Not having compliant standard operating procedures.
5. Having expired stock. See R156-17b-605(1).

Four of the five errors listed above are required by R156-17b-614e. This section of the rule requires compliance with United States Pharmacopeia (USP) Chapters <797> and <795>. Additionally, failing to comply with USP chapters is considered unprofessional conduct in R156-17b-502(2).

All out-of-date or expired products must be removed from the shelf and indicated separately on the inventory report, as required in R156-17b-605(1).

Note: DOPL is seeing an increase of unlicensed individuals practicing in pharmacies – specifically unlicensed pharmacy technician trainees. It is a requirement for trainees to have an active license. Additionally, it is a requirement for the pharmacies to ensure proper licensure for all staff as indicated in R156-17b-603(3)(q).

SafeUT

Would you like to chat with someone confidentially to help you with any problems you are facing? Download the free SafeUT Frontline app from your smartphone's app store. The SafeUT Frontline app provides a way to connect to licensed mental health professionals trained to help you deal with the unique challenges faced by first responders on a daily basis. Support for you and your family is always available at no cost through the SafeUT Frontline app.

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