

ARIZONA STATE BOARD OF PHARMACY

*Newsletter to Promote Pharmacy
and Drug Law Compliance.*

Update Your Profile

In an effort to communicate more effectively with its licensees and permittees, the Arizona State Board of Pharmacy has noticed that contact information in its system is not always current and up to date. You are required to update your

personal contact information and pharmacy employer within 10 days after a change, pursuant to Arizona Revised Statutes (A.R.S.) §32-1926. Please use your online profile to [update your contact information](#).

Be on Alert – Scam Reported

There have been reports of individuals impersonating Board staff members requesting personal information from license and permit holders. Please know that the Board already has your information, which you are able to update using the

Board website at any time. The Board does not collect payment over the phone. If you experience a similar situation in which you are contacted for personal or financial information, please contact the Board office at 602/771-2727.

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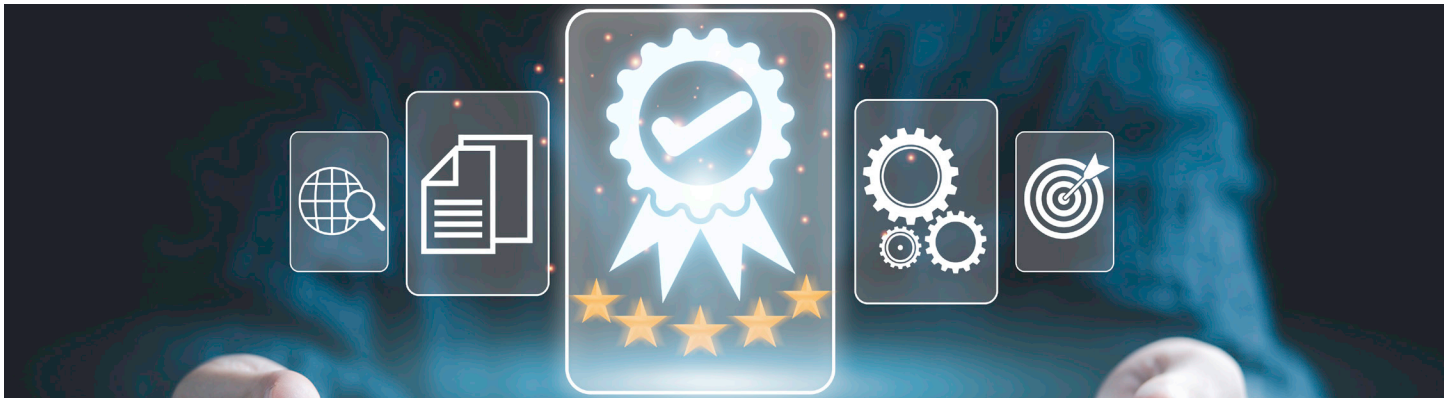


Compliance Corner

Hot Topics in Arizona Pharmacy

This installment of the Compliance Corner will focus on some recent trending themes. These topics include commonly confused

areas of Arizona pharmacy law or information the Board wants to announce. The intention of this article is to provide information and offer some clarification; it should



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not be construed as an exhaustive list of the laws governing pharmacy practice in Arizona.

Required Reporting of Charges

A.R.S. 32-3208 (A)(B) states: A health professional who has been charged with a misdemeanor involving conduct that may affect patient safety or a felony after receiving or renewing a license or certificate must notify the health professional's regulatory board in writing within ten working days after the charge is filed.

(B) An applicant for licensure or certification as a health professional who has been charged with a misdemeanor involving conduct that may affect patient safety or a felony after submitting the application must notify the regulatory board in writing within ten working days after the charge is filed.

This means that applicants and licensees who have been arrested or charged with an applicable crime must report it to the Board within 10 days. The common confusion here is that if no charges are filed or the charges are dropped they are not reportable. Reportable arrests or charges include those that are dropped, pending, or any other status. This also includes charges from other jurisdictions; if you are arrested or charged in another state you must report that as well. The Board's Frequently Asked Questions section has more information about reportable

criminal charges and an **example listing** of the type of offenses that must be reported.

Required Reporting of Change in PIC

A.R.S. 32-1926. Notice of change of information required (B). Pursuant to board rule, a pharmacist designated as the pharmacist in charge for a permit issued under this chapter shall give immediate notice to the board office staff of the initiation and termination of such responsibility. The pharmacist shall either electronically update the pharmacist's online board profile or give written notice to the board office staff of the new information.

A change of pharmacist-in-charge (PIC) can be a busy time for any pharmacy. However, there is a requirement to notify the Board of the change. The preferred way to do this is through the Board's website. The **pharmacist's personal profile and pharmacy's facility profile** should be updated to reflect changes in PIC. This update serves as the notification of change in PIC and captures the initiation and termination for the PIC. Other ways to notify the Board are through written (mail, email, or fax) communication. Also, note that a full controlled substance (CS) inventory must be taken within 10 days of changing the PIC.

Compliance Activity

The compliance team is busy throughout the year with inspections, complaint investigations, permit

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reviews, continuing education (CE) audits, and various other activities. There has been some inquiry as to the amount of activity the compliance team

accomplishes. Below is a table of totals by activity that the team completed in 2023.

Inspections	January	February	March	April	May	June	July	August	September	October	November	December	Totals (YTD)
CMG Distributor Inspection (CMG)	2	2	4	0	8	4	6	1	2	7	4	0	40
Collection Receptacle / Mail Back (CRM)	1	4	5	5	8	19	18	20	13	17	16	7	133
Community Pharmacy Inspection (P)	50	29	31	27	58	39	63	75	58	47	74	46	597
DME/CMG Supplier Inspection (DME)	10	8	16	12	14	12	14	17	15	14	16	1	149
Equipment Check (EQ)	1	2	0	2	3	2	4	1	3	1	2	4	25
Full Service Wholesale Inspection (W)	4	0	8	2	1	1	2	0	4	0	2	0	24
Hospital Pharmacy Inspection (H)	8	6	6	3	6	2	1	4	10	4	13	6	69
Kiosk Inspection (KIO)	0	0	0	0	0	0	0	0	0	0	0	0	0
Limited Service Pharmacy Inspection (LS)	3	0	1	1	4	3	0	0	0	2	7	6	27
Manufacturer Inspection (M)	3	0	2	2	0	0	1	0	1	1	3	1	14
Manufacturer Inspection Supplement (MS)	0	1	1	0	0	0	0	0	0	0	0	0	2
NABP 795 inspection (N795)	0	1	1	0	0	0	0	0	0	0	0	0	2
NABP 797 inspection (N797)	3	1	1	0	2	0	0	0	0	0	0	0	7
NABP 800 inspection (N800)	0	1	1	0	0	0	0	0	0	0	0	0	2
Non-prescription Wholesale Inspection (NPW)	2	2	3	0	0	0	4	0	3	3	0	0	17
Opening Inspection (OPI)	5	5	7	10	2	10	3	4	7	7	4	9	73
Ownership Change Inspection (OWN)	6	1	0	1	5	8	1	0	0	3	3	1	29
Reinspection (REI)	1	5	3	1	3	1	0	4	0	0	1	0	19
Relocation Inspection (RLO)	2	1	6	3	1	0	0	4	3	2	5	2	29
Remodel Inspection (REM)	3	1	5	2	1	0	11	0	9	3	2	2	39
Remote Dispensing Pharmacy Inspection (RDP)	0	1	1	0	1	0	0	3	1	1	2	0	10
Remote Supervising Dispensing Pharmacy Inspection (RSDP)	0	0	0	0	0	0	0	1	0	0	2	3	6
Remote Pharmacy Inspection (RP)	0	0	0	0	0	0	0	0	0	0	0	0	0
Shared Svcs @ Home Inspection (SSH)	0	0	0	0	0	0	0	0	0	0	0	0	0
Third Party Logistics (3PL)	2	0	0	1	0	0	0	0	4	0	0	0	7
Total Inspections	106	71	102	72	117	101	128	134	133	112	156	88	1320

CE Audits, Complaint Investigations, and Permit Reviews	January	February	March	April	May	June	July	August	September	October	November	December	Totals (YTD)
CE Audit(s) - Completed (CEAC)	51	54	58	52	59	52	57	58	53	44	33	0	571
Complaints Completed (CC)	27	24	34	37	43	26	23	27	33	47	36	26	383
Complaints Investigated (CI)	26	32	52	24	53	31	50	46	72	42	39	37	504
Permit Review(s) (PR)	52	47	29	27	40	28	15	20	26	10	32	32	358
Totals	156	157	173	140	195	137	145	151	184	143	140	95	1816

Licensing Activity

The Board’s licensing team is constantly working to improve the turnaround time for license applications. Currently, a complete application will be processed in one to two weeks. The major reason applications take longer to process is due to incomplete information. Applicants should check their application status often to be informed of the status.

Pharmacy CE for Board Meetings

Recently the Board has begun offering CE for attending live Board meetings in person. Up to six

CE credits are available for attending all sessions both days of a meeting. The meeting is divided into two sessions (morning and afternoon) each day with 1.5 hours of CE available for each session. Each session will have a sign-in sheet to be filled out at the start of the session, and the CE certificates will be provided at the end of that session. Participants must arrive at the beginning of the session and stay to the end of the session for the credit to be earned. These CE hours are only accredited in Arizona at this time and will be classified as “General CE.”

Scam Alerts - Be on the Lookout

There has been a rise in scams in the Arizona pharmacy industry. Examples of current scams include:

1. Criminals impersonating a Board officer – This scam includes phone calls or emails

claiming to represent the Board or other agencies. The scammer will create an urgent

Scam Alerts - Be on the Lookout

(continued)

- situation, then ask for money to resolve it.
2. **Fraudulent Prescriptions** – Either electronic or otherwise, this is a growing trend in Arizona. The scammer will send a fake prescription, usually for CS, in the hopes of getting it filled. (See the [April 2024 Compliance Corner article](#) for more information.)
 3. **Wholesaler Ordering Scams** – Here the scammer will gain access to a pharmacy’s wholesaler account and order large quantities and/or expensive drugs. When the delivery arrives at the pharmacy, the scammer calls the pharmacy posing as an agent for the wholesaler. The “agent” claims they made a mistake in delivering too much of the drug and someone will come pick up the incorrectly delivered medication. A scammer presents to the pharmacy claiming to be the agent of the wholesaler and takes the medication.
- For more information on scams, visit the Board’s website at <https://pharmacy.az.gov/>.

2024 Legislation Summary

The Arizona Legislature’s Regular Session adjourned on June 15, 2024. The next session will open on September 14, 2024. The legislation listed below was passed, including legislation on naloxone dispensations, scope of practice, and narcotics. In May, Governor Hobbs also signed Executive Order 2024-03: Protecting Reproductive Freedom Through Increased Access to Contraception. The Board is aware of and reviewing the Executive Order, and will post more information on its website this summer.

House Bill (HB) 2113	medical assistants; scope of practice	Communicate documented medical advice, interpretation of test results and orders; obtain, process, and communicate medication or procedure prior authorization ordered by a doctor of medicine, physician assistant (PA), or nurse practitioner.
HB 2045	dangerous drugs; definition; xylazine	Adds xylazine to Title 13 (Law Enforcement).
HB 2245	narcotic drugs; fentanyl; sentencing	List consequences for distribution, possession, and transportation of narcotics (first offense and second offense).
HB 2582	pharmacists; collaborative practice agreements	Adds PA to the definition of provider under the section for Collaborative Practice.
Senate Bill (SB) 1021	scope of practice; process; repeal	Removes the requirement for a sunrise to justify a scope enhancement. The group must show education and training as well as improve patient access that maintains or advances health, safety, and welfare for Arizonians.

SB 1165	pharmacy audit; procedures; prohibition	Restricts auditing company from reviewing invoices not related to them. Shall reverse a finding of discrepancy if the correct National Drug Code was used with exception of last two numbers. Also prohibits an auditing entity to retroactively reduce the amount of a claim payment unless they meet certain criteria.
SB 1211	pharmacy; prescribing; naloxone; reporting	Removes requirement to report opioid antagonist to Arizona Controlled Substances Prescription Monitoring Program.
SB 1234	pharmacy board; virtual manufacturers	Removes requirement for contract manufacturing organization (CMO) making devices for virtual manufacturer (VM) to be permitted by the Board. VM prescription drugs can only have CMO permitted by the Board. All drugs and devices follow current Good Manufacturing Practice.

Disciplinary Actions and Updates – Health Boards

Disciplinary actions for the Arizona State Board of Pharmacy can be found [here](#).

Disciplinary actions for the Arizona Medical Board can be found [here](#).

Disciplinary actions for the Arizona Osteopathic Board can be found [here](#).

Disciplinary actions for the Arizona State Board of Dental Examiners can be found [here](#).

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