

NEW MEXICO BOARD OF PHARMACY

*Newsletter to Promote Pharmacy
and Drug Law Compliance.*

Significant Adverse Drug Event

1. A 71-year-old male attempted to pick up a refill for atenolol 100 mg but was given allopurinol 100 mg instead. After taking three doses, the patient reported tachycardia, dizziness, and an increase in his anxiety symptoms. The pharmacist attributes the error to skipping a final barcode scan and to similar-looking stock bottles, as well as similar size, color, and appearance of tablets. The pharmacy is now requiring markings

on filled prescriptions near the National Drug Code when filling and during the final check.

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

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Pharmacy Compliance News*

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Drug Enforcement Administration Reminder: CS Prescriptions Can Only Be Sent to Patients

Delivering patient-specific controlled substance (CS) prescriptions to practitioner offices is **not** in compliance with federal regulations (unless excepted, eg, Sublocade®). To learn more, refer to the United States Code (USC) [here](#).

21 USC §829a (a)(5): "The controlled substance is to be administered only to the patient named on the prescription not later than 45 days after the date of receipt of the controlled substance by the practitioner."

Centralized Prescription Dispensing

(a) “Centralized prescription dispensing” means the dispensing or refilling of a prescription drug order by a retail or nonresident pharmacy.

(1) A retail pharmacy may outsource prescription drug order dispensing to another retail or nonresident pharmacy provided the pharmacies:

(a) have the same owner or;

(b) have entered into a written contract or agreement which outlines the services to be provided and

the responsibilities and accountabilities of each pharmacy in compliance with federal and state laws and regulations; and

(c) share a common electronic file or have appropriate technology to allow access to sufficient information necessary or required to dispense or process a prescription drug order.

Centralized prescription dispensing must comply with the above 16.19.6.

25 New Mexico Administrative Code (NMAC) and federal requirements:

16.19.6: Occupational and Professional Licensing

§ 1306.15 Provision of prescription information between retail pharmacies and central fill pharmacies for prescriptions of Schedule II controlled substance

§ 1306.27 Provision of prescription information between retail pharmacies and central fill pharmacies for initial and refill prescriptions of Schedule III, IV, or V controlled substances

Pharmacist’s Manual

Licensing Updates

Medical gas seller and medical gas repackager license types are now effective.

See **16.19.14 NMAC Devices; Medical Gas Repackagers and Sellers.**



New Mexico PMP Gateway Integration

The Board continues to integrate the prescription monitoring program (PMP) system into eligible health care software systems across the state. The goal is to increase PMP utilization for both prescribers of CS and pharmacists (“providers”) by providing seamless access to a patient’s queried PMP report. PMP Gateway integrates PMP

dates within a provider’s workflow. The Board, in collaboration with the New Mexico Department of Health and through federal grant funds, purchased a subscription to the PMP Gateway for health care entities that successfully integrate before August 31, 2027. *The paid subscription for a health care entity begins the date PMP Gateway*

integration is approved by the New Mexico Board of Pharmacy (on or before August 31, 2027) and will renew on an annual basis through at least August 31, 2027. To learn more about PMP Gateway and how to start the integration process, please visit the following page: <https://go.bamboohealth.com/nmgatewayintegrationrequest.html>.



Rule Updates

During the July meeting, the Board approved the following rule updates:

16.19.5 NMAC – Internship Training Program – Sections 1 and 5 had administrative updates. Section 8 updated and removed unnecessary or obsolete provisions and removed the suspension of preceptor certification upon change of employment. Section 9 was deleted (summary of objectives for last year’s pharmacy students in the rural health care setting), as all provisions in that section are otherwise allowed without additional requirements of the previous Section 9.

16.19.30 NMAC – Compounding of Non-Sterile Pharmaceuticals – Section 6 had an administrative update. Section 7 added a provision that a flavoring agent subject to certain characteristics is not compounding. Section 9 updated beyond-use dating specifications for consistency with the updated United States Pharmacopeia (USP) chapter for nonsterile compounding. Section 10 changed formulation records to master formulation records, aligned requirements with USP, and aligned requirements of compounding records with USP.

16.19.36 NMAC – Compounded Sterile Preparations – Section 7 removed, updated, and added definitions for consistency with updated USP chapters for sterile compounding. Section 8 clarified that a consultant pharmacist for in-state clinics would be responsible for the duties of the otherwise pharmacist-in-charge. Sections 9, 10, 11, 13, and 15 were updated for alignment with USP.



Thank You to Our 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.

- Jonathan S. Bartlett
- Don W. Boyd
- Nick H. Brown
- Larry D. Cato
- Wilfred O. Chavez
- Robert B. Cowden
- Michel B. Disco
- Arturo Figueroa
- Robert Ghattas
- Richard Gomez
- Louis J. Herrera
- Jack F. Lerner
- William J. Long
- Delbert W. Lopez

Thank You to Our Fifty-Year Pharmacists

(continued)

- Leo F. Lopez
- Allan W. Ludwik
- Lewis Dale McCleskey
- S. Patricia McSherry
- Donald Peters
- Allen E. Plymale
- Andrew A. Portillos
- Larry D. Quintana
- Rudolph T. Shoats
- Bruce R. Smith
- Thomas H. Steel
- John R. Stroh
- Benjamin Tom White

This year, there are six newcomers to the distinguished list. They are Robert B. Cowden, Michel B. Disco, S. Patricia McSherry, Andrew A. Portillos, Bruce R. Smith, and Benjamin Tom White.

Thank you for all you do!



Disciplinary Actions

The Board took the following actions during the April and July 2024 meetings:

Jacoby Thompson, PT00017856. Settlement agreement. The Board approved the following term:

respondent must complete a New Mexico Health Professional Wellness Program contract.

Marcus Reid, PT00008685. Summary suspension of pharmacy technician registration.

2024 Law Update Schedule

Please contact the Board at least a week prior to a Board-sponsored law update (via email at pharmacy.board@rld.nm.gov) to reserve your spot and register so that you can receive continuing education credit for the law update. Please include your name, pharmacist license number, the date and time of the session you wish to attend, and your contact information in the message. The Albuquerque area law updates will be held by webinar. In 2024, the Board will hold one law update on the first Friday of each month from 2-4 PM. If you wish to attend a pharmacy law update that is sponsored by the New Mexico

Pharmacists Association (NMPHA) or the New Mexico Society of Health-System Pharmacists (NMSHP), please contact the organizations directly to reserve your spot. Please note that the dates and times for the NMPHA- or NMSHP-sponsored law updates vary.

Upcoming Albuquerque Pharmacy Law Lecture Dates:

- September 6, 2024
Webinar. Registration closes on September 4.
- October 4, 2024
Webinar. Registration closes on October 3.

- November 1, 2024
Webinar. Registration closes on October 30.
- December 6, 2024
Webinar. Registration closes on December 3.

* Remember, the law update hosted by the Board, while presented at no charge, does not have an Accreditation Council for Pharmacy Education number and is not reported to CPE Monitor®.

2024 Pharmacy Law Update Schedule: Other New Mexico Areas

Board inspectors will also hold updates for areas outside of Albuquerque, although registration is open to licensees regardless of residence. Please contact the Board by email at least a week before the law update at pharmacy.board@rld.nm.gov to register and reserve your spot. Please include your name, pharmacist license number, the date and time of the session you wish to attend, and your contact information in the message. The Board-

sponsored updates will generally be held on a Tuesday from 2-4 PM.

- September 17, 2024
Carlsbad area webinar.
Registration closes on September 13.
- November 19, 2024
Las Cruces area webinar.
Registration closes on November 15.

Reminder: Submit Adverse Drug Event reports

Submit Adverse Drug Event reports to the Board within **15 days of discovery**. This is required by rule, and noncompliance may result in disciplinary action. Reports **must** include an appropriate root cause analysis with corrective action.

The New Mexico Board of Pharmacy News is published by the New Mexico 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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