

OKLAHOMA STATE BOARD OF PHARMACY

*Newsletter to Promote Pharmacy
and Drug Law Compliance.*

24.141 OBND D Requirement Update: Notification of Pharmacy Ownership Changes

Effective August 4, 2024, a registrant with the Oklahoma Bureau of Narcotics and Dangerous Drugs Control (OBND D) can notify OBND D

of a change of ownership any time before the change **but must do so within one calendar day after the change occurs.**

24.142 Reporting Fraudulent Prescriptions

If you receive a fraudulent script and need to report it to OBND D, fax it to 405/524-7619 as soon as possible. Fraudulent scripts can also be reported by phone to OBND D's Diversion division. If called in, make sure to include the patient's and prescriber's names, the medication in question (and any

additional medications included in the fraudulent script), and the caller ID number, regardless of whether the call was recorded.

Make sure to report all fraudulent prescriptions, even if the script was not filled.

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24.143 New Rules Effective August 11, 2024

1. The following has been updated for the pharmacy reporting process due to closures:

Oklahoma Administrative Code (OAC) 535:15-3-2 - Pharmacy responsibilities,

(j) Reporting

- (2) A change in PIC must be reported to the Board in writing within ten (10) days,
- (3) A pharmacy that is closing due to lack of staffing or for some other reason and will not be open during normal business hours when patients would expect the pharmacy to be open must email the following information to the Board within twenty-four (24) hours.
 - (A) License number of the pharmacy.
 - (B) Name of the pharmacy.
 - (C) Address of the pharmacy.
 - (D) Name of the pharmacist in charge (PIC).
 - (E) Date(s) that the pharmacy will be closed.
 - (F) Hours the pharmacy will be closed.
 - (G) Detailed explanation for closing.

2. The following definition has been updated in OAC 535:15-4-2 - Definitions:

“Remote medication order processing” or “RMOP” means the processing of a medication order for a hospital facility by a pharmacist **employed by** a remote medication order processing pharmacy site. Remote medication order processing does not include the dispensing of a drug, but may include receiving, interpreting, evaluating, clarifying and approval of medication orders. Additionally, remote medication order processing may include order entry, other data entry, performing prospective drug utilization review, interpreting clinical data, performing therapeutic interventions, and providing drug information services, and authorizing release of the medication for administration.

3. Regarding drug supplier permits:

Please make sure the invoices are inclusive of at least the following:

OAC 535:15-7-2 - Drug supplier requirements

(c) Records. Separate records of sales will be kept on file by the pharmacy. The files will include, but not be limited to, invoices of sales with name and address of purchaser, **name and address of supplier**, quantity sold, drug description, **lot number and expiration date of drug**, price, and date of transaction. These files must be readily available for inspection. **(emphasis added)**

If you are supplying a Schedule II drug, please make sure a Drug Enforcement Administration Form 222 is properly utilized along with the drug supplier invoice. Please keep three separate files for Schedule II, Schedule III-V, and nonscheduled drugs. Do not borrow medications from other pharmacies – obtain a drug supplier permit for tracking purposes.

4. The following is regarding OTC compounded drugs:

OAC 535:15-10-1.1 - Preparation of compounded drug products for over-the-counter (OTC) sale

- (a) A pharmacist licensed by the Oklahoma State Board of Pharmacy may, in accordance with state and federal laws and rules, prescribe [nonprescription] OTC drugs for the purpose of compounding for a known patient need.
- (b) The compounded product shall not contain an ingredient which exceeds recommended strengths and doses for over-the-counter drugs.
- (c) The finished compounded OTC product shall not be one for which a prescription is required.
- (d) The compounded OTC product shall be labeled with:
 - (1) Patient name,
 - (2) Date,
 - (3) Product name,

24.143 New Rules Effective August 11, 2024

(continued)

- (4) Name of all ingredients,
 - (5) Strength or quantity of all active ingredients,
 - (6) Package size,
 - (7) Directions for use,
 - (8) Use by date,
 - (9) Name, address, and telephone number of the pharmacy,
 - (10) Ancillary and cautionary instructions if needed,
 - (11) Requirements for proper storage, and
 - (12) An appropriate designation that this is a compounded nonprescription product, such as "Compounded OTC"
- (e) The product shall be sold directly to the consumer only after professional interaction or consultation between a pharmacist and a consumer.
 - (f) The product may be prepared in advance in reasonable amounts in anticipation of estimated needs.
 - (g) The product shall not be sold to other pharmacies or vendors for resale.
 - (h) The product shall be stored within the prescription department.
 - (i) Compounding a drug product that is commercially available in the marketplace or that is essentially a copy of an available FDA-approved drug product is generally prohibited unless patient therapy is compromised.



24.144 Disciplinary Actions

John Schick, Technician #26307 – Case No. 1677: Guilty on two counts, including theft while working as a registrant. Revoked.

Juan Bermea, Jr, Technician #30831 – Case No. 1687: Guilty on two counts, including theft while working as a registrant. Revoked.

Monique Chandler, Technician #17564 – Case No. 1688: Guilty on two counts, including theft while working as a registrant. Revoked.

(Impaired DPh) DPh #15120 – Case No. 1691: Respondent's license is indefinitely suspended until they complete a "fit for duty" evaluation, receive support from Oklahoma Pharmacists Helping Pharmacists (OPHP) to practice pharmacy, and

appear before the Board requesting reinstatement. Respondent will enter into and remain compliant with a 10-year contract with OPHP. If, at any time, they are not compliant with the contract, it shall transition into a lifetime contract. Respondent shall complete 15 hours of live continuing education for 2025 and 2026. Respondent is required to complete a substance use disorder conference or seminar before December 31, 2027. Respondent is found guilty on four counts, including abuse of alcohol or drugs and use of an illegal controlled dangerous substance or testing positive for such substance or its metabolite, which is a violation of registrant conduct.

24.144 Disciplinary Actions

(continued)

Truhealth Pharmacy, Pharmacy #2-8556 – Case No. 1692: The supervisor and PIC will review camera footage at all locations once a week and document that cameras are operating properly for the next four years. Respondent will conduct the annual inventory bi-annually and update the policy and procedures quarterly for four years. The first update will be submitted to the Board for review. Respondent was found guilty on five counts, including failure to establish and maintain effective controls against the diversion of prescription drugs and/or controlled dangerous drugs. Fined \$12,000.

Karen Custer, Owner of Woodward Livestock Vet Supply, LLC, #44-W-3806 – Case No. 1693: Respondent is found guilty on one count including the unlawfulness of a wholesaler or distributor licensed in this state selling a prescription-labeled drug to a client or the client's authorized agent without a valid veterinarian-client-patient relationship in place. Fined \$1,000 for administrative costs.

Woodward Livestock Vet Supply, LLC, #44-W-3806 – Case No. 1694: Respondent is found guilty on three counts, including the unlawfulness of a wholesaler or distributor licensed in this state selling a prescription-

labeled drug to a client or the client's authorized agent without a valid veterinarian-client-patient relationship in place. Fined \$9,000 for administrative costs.

Malcolm Mathers, Technician #13906 – Case No. 1695: Guilty of possessing a dangerous drug without a valid prescription or a valid license to possess such drug. Revoked. Fined \$3,000.

Meagan Intavong, Technician #31557 – Case No. 1696: May not apply for a technician permit until five years after the Agreed Order has been finalized. Guilty on two counts, including theft while working as a registrant.

Calendar Notes

Upcoming Holidays: The Board office will be closed on December 24-25, 2024, for Christmas.

New Fax Number

The Board has received a new fax number. When sending faxes to the Board office, please use 405/900-8365 and discontinue using 405/521-3758 to send faxes.



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. Address and employment changes can no longer be made on the online renewal system. Emailed notifications can be sent to pharmacy@pharmacy.ok.gov or faxed to 405/900-8365. 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 Helps Pharmacists In Need

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 helpline at 1-800/260-7574, ext w5773. 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]

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