

855-019-0110

## Definitions

In this Division of Rules:

**(1) “Clinical Pharmacy Agreement” means an agreement between a pharmacist or pharmacy and a health care organization or a physician that permits the pharmacist to engage in the practice of clinical pharmacy for the benefit of the patients of the health care organization or physician.**

**(2)(4)** "Collaborative Drug Therapy Management (CDTM)" has the same meaning as defined in OAR 855-006-0005.

**(3)(2)** "Counseling" means an oral or other appropriate communication process between a pharmacist and a patient or a patient's agent in which the pharmacist obtains information from the patient or patient's agent, and, where appropriate, the patient's pharmacy records, assesses that information and provides the patient or patient's agent with professional advice regarding the safe and effective use of the drug or device for the purpose of assuring therapeutic appropriateness.

**(4)(3)** "Drug Regimen Review (DRR)" means the process conducted by a pharmacist who is consulting for a long-term-care facility or other institution, either prior to dispensing or at a later time, with the goal of ensuring that optimal patient outcomes are achieved from the drug therapy.

**(5)(4)** "Drug Utilization Review (DUR)" has the same meaning as defined in OAR 855-006-0005.

**(6)(5)** "Medication Therapy Management (MTM)" means a distinct service or group of services that is intended to optimize therapeutic outcomes for individual patients. Medication Therapy Management services are independent of, but can occur in conjunction with, the provision of a medication product.

**(7) “Practice of Clinical Pharmacy” means:**

**(a) The health science discipline in which, in conjunction with the patient’s other practitioners, a pharmacist provides patient care to optimize medication therapy and to promote disease prevention and the patient’s health and wellness;**

**(b) The provision of patient care services, including but not limited to post-diagnostic disease state management services; and**

**(c) The practice of pharmacy by a pharmacist pursuant to a clinical pharmacy agreement.**

**(8) “Practice of Pharmacy” is as defined in ORS 689.005.**

Stat. Auth.: ORS 689.205

Stats. Implemented: ORS 689.005, 689.151, 689.155

855-019-0200

## General Responsibilities of a Pharmacist

ORS 689.025 states that "the practice of pharmacy in the State of Oregon is declared a health care professional practice affecting the public health, safety and welfare". Pharmacy practice is a dynamic patient-oriented health service that applies a scientific body of knowledge to improve and promote patient health by means of appropriate drug use, drug-related therapy, and communication for clinical and consultative purposes. A pharmacist licensed to practice pharmacy by the Board has the duty to use that degree of care, skill, diligence and professional judgment that is exercised by an ordinarily careful pharmacist in the same or similar circumstances.

(1) A pharmacist while on duty must ensure that the pharmacy complies with all state and federal laws and rules governing the practice of pharmacy.

(2) ~~Only a~~ A pharmacist ~~shall perform the duties of a pharmacist~~ **may practice pharmacy as defined in ORS 689.005, to include the provision of patient care services.** ~~that~~ **Activities that require the professional judgment of a pharmacist** include, but are not limited to ~~DUR,~~ counseling and final verification of the work performed by those under their supervision;

**(a) Drug Utilization Review;**

**(b) Counseling;**

**(c) Drug Regimen Review;**

**(d) Medication Therapy Management;**

**(e) Collaborative Drug Therapy Management or other post-diagnostic disease state management, pursuant to a valid agreement;**

**(f) Practice pursuant to State Drug Therapy Management Protocols;**

**(g) Ordering, interpreting and monitoring of a laboratory test;**

**(h) Oral receipt or transfer of a prescription; and**

**(i) Final verification of the work performed by those under their supervision.**

(3) A pharmacist may not delegate any task **listed in OAR 855-019-0200(2), except** that requires the professional judgment of a pharmacist. ~~Such tasks include but are not limited to:~~

~~(a) Counseling to a patient or patient's agent, or other healthcare provider;~~

~~(b) Verification;~~

~~(c) Performing DUR;~~

~~(d) Providing a CDTM, DRR, or MTM service;~~

~~(e) Ordering, interpreting and monitoring of a laboratory test; and~~

~~(f) Oral receipt or transfer of a prescription; except that~~

**(g) a pharmacist may permit an intern to perform the duties of a pharmacist under their direction and supervision, after the intern has successfully completed his or her first academic year, and only after successful completion of coursework corresponding to those duties.** An intern under the supervision of a pharmacist may perform all the duties of a technician and the following:

~~(A) Counseling;~~

~~(B) Performing DUR;~~

~~(C) Oral receipt or transfer of a prescription;~~

~~(D) Immunizations if appropriately trained, and supervised by an immunization-qualified pharmacist;~~

~~(E) Other activities approved in writing by the Board.~~

**(4) An intern cannot perform final verification.**

~~(5)(4)~~ A pharmacist who is supervising an intern is responsible for the actions of that intern; however, this does not absolve the intern from responsibility for their own actions.

~~(6)(5)~~ A pharmacist on duty is responsible for supervising all pharmacy personnel, and ensuring that pharmacy personnel only work within the scope of duties allowed by the Board.

~~(7)(6)~~ A pharmacist may not permit non-pharmacist personnel to perform any duty they are not licensed and trained to perform.

~~(8)(7)~~ A pharmacist while on duty is responsible for the security of the pharmacy area including:

(a) Providing adequate safeguards against theft or diversion of prescription drugs, and records for such drugs;

(b) Ensuring that all records and inventories are maintained in accordance with state and federal laws and rules;

(c) Ensuring that only a pharmacist has access to the pharmacy when the pharmacy is closed.

Stat. Auth.: ORS 689.205

Stats. Implemented: ORS 689.025, 689.151, 689.155

### **855-019-0264**

#### **State Drug Therapy Management Protocols**

**(1) A pharmacist may participate in statewide drug therapy management protocols developed by the Oregon Health Authority to provide approved patient care services including but not limited to:**

**(a) Smoking cessation therapy;**

**(b) Travel health services; and**

**(c) Immunizations.**

**(2) The pharmacy must maintain written or electronic policies and procedures for each state drug therapy management protocol in which it participates.**

**(3) A pharmacist who participates in a state drug therapy management protocol must:**

**(a) Retain the required training documentation set forth by the protocol and make available to the Board upon request; and**

**(b) Document the prescription, administration, and patient interaction in the patient's record, and provide notification to the patient's primary care provider when available.**

**Stat. Auth.: ORS 689.205**

**Stats. Implemented: ORS 689.155, 2015 OL Ch. 362**

### **855-019-0270**

#### **Qualifications**

(1) In this rule and in OAR 855-019-0280, an intern who is appropriately trained and qualified in accordance with Section (3) of this rule may perform the same duties as a pharmacist, provided that the intern is supervised by an appropriately trained and qualified pharmacist.

(2) A pharmacist may administer vaccines to persons who are at least ~~11~~ 7 years of age as provided by these rules. For the purposes of this rule, a person is at least ~~11~~ 7 years of age on the day of the person's ~~eleventh~~ seventh birthday.

(3) A pharmacist may administer vaccines under section (1) or section (2) of this rule only if:

(a) The pharmacist has completed a course of training approved by the Board **and maintained competency**;

**(b) The pharmacist training includes, injection site, and Cardiopulmonary Resuscitation (CPR) specific to the age and population the pharmacist treats;**

~~(c)~~**(b)** The pharmacist holds a ~~current basic Cardiopulmonary Resuscitation~~ **active** (CPR) certification issued by the American Heart Association or the American Red Cross or any other equivalent program **intended for a healthcare provider** that contains a hands-on training component and is valid for not more than three years, and documentation of the certification is placed on file in the pharmacy;

~~(d)~~**(e)** The vaccines are administered in accordance with an administration protocol written and approved by the Oregon Health Authority (OHA); and

~~(e)~~**(d)** The pharmacist has a current copy of the CDC reference, "Epidemiology and Prevention of Vaccine-Preventable Diseases."

(4) A pharmacist otherwise in compliance with section three of this rule may, during a declared emergency, administer a vaccine to a person who is at least three (3) years of age when;

(a) The Governor declares a state of public health emergency and authorizes the reduced age limitation; or

(b) The Public Health Director, during a declared disease outbreak, authorizes a reduction in the age limit.

(5) A pharmacist may not delegate the administration of vaccines to another person.

Stat. Auth.: ORS 689.205 433.441, 433.443 **& 2015 OL Ch 295** & ~~2013 OL Ch 332~~

Stats. Implemented: ORS 689.151, 689.155, 689.645 **& 2015 OL Ch 295** & ~~2013 OL Ch 332~~

**855-019-0280**

### **Protocols, Policies and Procedures**

(1) Prior to administering a vaccine to a person who is at least ~~11~~ 7 years of age a pharmacist must follow protocols written and approved by the Oregon Health Authority (OHA) for

administration of vaccines and the treatment of severe adverse events following administration of a vaccine.

(2) A pharmacist during a declared emergency may administer a vaccine to a person who is at least three (3) years of age when;

(a) The Governor declares a state of public health emergency and authorizes the reduced age limitation; or

(b) The Public Health Director, during a declared disease outbreak, authorizes a reduction in the age limit.

(3) The pharmacy must maintain written policies and procedures for handling and disposal of used or contaminated equipment and supplies.

(4) The pharmacist must give the appropriate Vaccine Information Statement (VIS) to the patient or legal representative with each dose of vaccine covered by these forms. The pharmacist must ensure that the patient or legal representative is available and has read, or has had read to them, the information provided and has had their questions answered prior to administering the vaccine.

(5) The pharmacist must report adverse events as required by the Vaccine Adverse Events Reporting System (VAERS) and to the primary care provider as identified by the patient.

~~(6) The pharmacist must make available the Adolescent Well Visit Referral document, provided by the OHA, to a patient aged 11 through 18 years of age or their legal representative.~~

~~(6)(7)~~The pharmacist may **prescribe**, administer or dispense **immunizations, including** ~~an~~ oral vaccines, as established by written protocols approved by OHA.

Stat. Auth.: ORS 689.205, 433.441, 433.443 **& 2015 OL Ch 295** & 2013 OL Ch 332

Stats. Implemented: ORS 689.151, 689.155, 689.645 **& 2015 OL Ch 295** 2013 OL Ch 332