

APA-1  
11/96

**TRANSMITTAL SHEET FOR  
NOTICE OF INTENDED ACTION**

Control 680 Department of Agency: Alabama State Board of Pharmacy  
Rule No. 680-X-2-.08  
Rule Title: PHARMACIST CONSULTANTS OF PHARMACEUTICAL SERVICES

     New      XX Amend         Repeal         Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? YES

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? YES

Is there another, less restrictive method of regulation available that could adequately protect the public? NO

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? NO

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule. NO

Are all facets of the rule making process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? YES

\*\*\*\*\*  
Does the proposed rule have an economic impact? NO

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

\*\*\*\*\*  
Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Reference Service.

Signature of certifying officer   
Mitzi G. Ellenburg, Director of Operations

Date: May 17, 2012

(DATE FILED)  
(STAMP)

**ALABAMA STATE BOARD OF PHARMACY  
NOTICE OF INTENDED ACTION**

**AGENCY NAME:** ALABAMA STATE BOARD OF PHARMACY

**RULE NO. AND TITLE:** 680-X-2-.08 PHARMACIST CONSULTANTS OF  
PHARMACEUTICAL SERVICES

**INTENDED ACTION:** AMENDMENT

**SUBSTANCE OF PROPOSED ACTION:**

The Alabama State Board of Pharmacy proposes to amend Rule 680-X-2-.08 PHARMACIST CONSULTANTS OF PHARMACEUTICAL SERVICES to change the initial registration from 'annual' to 'biennially' to be consistent with pharmacist's license renewal.

**TIME, PLACE, MANNER OR PRESENTING VIEW:**

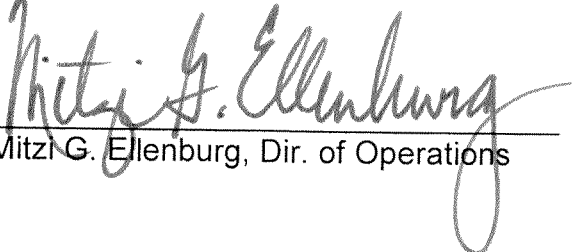
Comments can be presented at the public hearing scheduled at 7:30 a.m. on June 20, 2012 at the Alabama State Board of Pharmacy located at 111 Village Street, Hoover, Alabama 35242. Additionally, written comments may be addressed to Herb Bobo, Secretary, Alabama State Board of Pharmacy, P. O. Box 381988, Birmingham, Alabama 35238-1988. Written comments must be received in the Board Office no later than 4:00 p.m. on July 5, 2012.

**FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:**

July 5, 2012

**CONTACT PERSON AT AGENCY:**

Herb Bobo, R.Ph., Secretary  
205/981-2280

  
\_\_\_\_\_  
Mitzi G. Ellenburg, Dir. of Operations

ECONOMIC IMPACT STATEMENT  
FOR APA RULE  
(Section 41-22-23(f))

Control No. 680 Department of Agency: Alabama State Board of Pharmacy

Rule No.: 680-X-2-.08

Rule Title: PHARMACIST CONSULTANTS OF PHARMACEUTICAL SERVICES

         New   XX   Amend          Repeal          Adopt by Reference

  X   This rule has no economic impact.

         This rule has an economic impact, as explained below:

1. NEED/EXPECTED BENEFIT OF RULE:
  
2. COSTS/BENEFITS OF RULE AND WHY RULE IS THE MOST EFFECTIVE, EFFICIENT, AND FEASIBLE MEANS FOR ALLOCATING RESOURCES AND ACHIEVING THE STATED PURPOSE:
  
3. EFFECT OF THIS RULE ON COMPETITION:
  
4. EFFECT OF THIS RULE ON COST-OF-LIVING AND DOING BUSINESS IN THE GEOGRAPHICAL AREA WHERE THE RULE IS TO BE IMPLEMENTED:
  
5. EFFECT OF THIS RULE ON EMPLOYMENT IN THE GEOGRAPHICAL AREA WHERE THE RULE IS TO BE IMPLEMENTED:
  
6. SOURCE OF REVENUE TO BE USED FOR IMPLEMENTING AND ENFORCING THIS RULE:
  
7. THE SHORT-TERM/LONG-TERM ECONOMIC IMPACT OF THIS RULE ON AFFECTED PERSONS, INCLUDING ANALYSIS OF PERSONS WHO WILL BEAR THE COSTS AND THOSE WHO WILL BENEFIT FROM THE RULE:

8. UNCERTAINTIES ASSOCIATED WITH THE ESTIMATED BENEFITS AND BURDENS OF THE RULE, INCLUDING QUALITATIVE/QUANTITATIVE BENEFITS AND BURDEN COMPARISON:
  
9. THE EFFECT OF THIS RULE ON THE ENVIRONMENT AND PUBLIC HEALTH:
  
10. DETRIMENTAL EFFECT ON THE ENVIRONMENT AND PUBLIC HEALTH IF THE RULE IS NOT IMPLEMENTED:

**\*\* Additional pages may be used if needed.**

**680-X-2-.08. PHARMACIST CONSULTANTS OF PHARMACEUTICAL SERVICES.**

An increasing number of pharmacists are serving as pharmacy consultants to, or serving as coordinators of pharmaceutical services solely directed in the area of consultation to health care professionals regarding medication/treatment regimens and not to include management consultation, in long term care facilities, assisted living facilities, nursing homes, domiciliaries, homes for the aged, governmental agencies and other places where a pharmacy permit is not held. The Alabama State Board of Pharmacy has the responsibility to maintain standards of professional conduct and to regulate professional practice. Due to the complexity of state and federal regulations pertaining to the provision of pharmaceutical care to the residents of long term care facilities and other facilities, and in the interest of protecting the public health of the citizens of Alabama residing in these facilities, and to insure the availability of qualified and competent consultant pharmacists, the Board of Pharmacy hereby promulgates the following rules and regulations:

(a) Requirements:

1. The Board of Pharmacy shall maintain a roster of all pharmacist consultants of pharmaceutical services, solely directed in the area of consultation to health care professionals regarding medication/treatment regimens and not to include management consultation. All persons serving as consultants shall be a pharmacist registered and licensed by the State Board of Pharmacy in Alabama.

2. Location with on-site pharmacy: Any pharmacist consultant to long term care facilities, nursing homes, domiciliaries, homes of the aged, government agencies, and any other pharmaceutical consultation practice shall register initially and annually biennially which shall expire on December 31 of even-numbered years in each instance such practice with the Alabama State Board of Pharmacy on forms provided by the Board.

3. Location without on-site pharmacy: Any pharmacist providing pharmaceutical consultation to, or coordinating pharmaceutical services, solely directed in the area of consultation to health care professionals regarding medication/treatment regimens and not to include management consultation, in long term care facilities, assisted living facilities, nursing homes, domiciliaries, homes for the aged, governmental agencies, and any other place where a pharmacy permit is not held shall register initially and annually biennially which shall expire on December 31 of even-numbered years in each instance such practice and place with the Alabama State Board of Pharmacy on forms provided by the Board.

4. All pharmacist consultants to long term care facilities, assisted living facilities, nursing homes, domiciliaries, homes of the aged, government agencies, and all other pharmaceutical consultants are required to successfully complete ~~a training seminar for consultants of not less than six (6)~~ twelve (12) live integrated hours to be approved by the Board not less than ~~every year~~ biennially in even-numbered years. The required consultant pharmacist hours may not be carried over from one year to another. Not less than ~~two (2)~~ one (1) integrated hours shall be approved for any consultant recertification continuing education program. Programs approved for consultant recertification shall cover clinical, administrative, or regulatory topics related to consultant pharmacy.

5. After January 1, 1996, pharmacists who have not successfully completed an initial certification course for consultants which has been approved by the Board will not be registered or reregistered as consultants with the Board until they have completed said course. Pharmacists must have taken the initial consultant certification course and have successfully completed an examination with a passing score of 75. The initial certification course shall be a ten (10) hour approved course consisting of the following subject matters:

(i) Regulations and laws, both state and federal, pertaining to services provided by consultant pharmacists.

(ii) Policy and Procedures.

(iii) Administrative Responsibilities.

(iv) Professional Responsibilities.

(v) Consultant Pharmacy Opportunities - History and Overview.

(vi) Drug Regimen Review.

(vii) Ethics in Consultant Pharmacy

(viii) Impact of Consultant Pharmacy on the Total Healthcare System.

(ix) Drug Therapy/Disease State Monitoring.

Author: ~~Jerry Moore~~ Herb Bobo, R.Ph., Executive Secretary

Statutory Authority: Code of Alabama 1975, §34-23-92.

History: Filed June 1, 1982; Amended September 2, 1994; Effective January 1, 1995-; Amended