

OFFICE OF THE SECRETARY OF STATE

LAVONNE GRIFFIN-VALADE
SECRETARY OF STATE

CHERYL MYERS
DEPUTY SECRETARY OF STATE
AND TRIBAL LIAISON



ARCHIVES DIVISION

STEPHANIE CLARK
DIRECTOR

800 SUMMER STREET NE
SALEM, OR 97310
503-373-0701

NOTICE OF PROPOSED RULEMAKING
INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 855
BOARD OF PHARMACY

FILED

06/20/2024 11:35 AM
ARCHIVES DIVISION
SECRETARY OF STATE

FILING CAPTION: Adds accredited program definition by adding continuing veterinary medical education to definition and credit limitations

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 07/23/2024 4:30 PM

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.

CONTACT: Rachel Melvin
971-673-0001
pharmacy.rulemaking@bop.oregon.gov

800 NE Oregon St., Suite 150
Portland, OR 97232

Filed By:
Rachel Melvin
Rules Coordinator

HEARING(S)

Auxiliary aids for persons with disabilities are available upon advance request. Notify the contact listed above.

DATE: 07/23/2024

TIME: 9:30 AM

OFFICER: Rachel Melvin

REMOTE HEARING DETAILS

MEETING URL: [Click here to join the meeting](#)

PHONE NUMBER: 503-446-4951

CONFERENCE ID: 836629590

SPECIAL INSTRUCTIONS:

This hearing meeting will be held virtually via Microsoft Teams.

If you wish to present oral testimony virtually during this hearing, sign up on our website at

www.oregon.gov/pharmacy/pages/

rulemaking-information or email your first and last name and email address to

pharmacy.rulemaking@bop.oregon.gov to receive a calendar invitation to join the virtual hearing. Please indicate which rule(s) you would like to comment on.

You must submit written comments before 4:30PM on July 23, 2024. Email written comments to

pharmacy.rulemaking@bop.oregon.gov.

NEED FOR THE RULE(S)

Proposes to amend Continuing Pharmacy Education (CPE) "accredited program" definition by adding continuing veterinary medical education (CVME) approved by the American Association of Veterinary State Boards Registry of Approved Continuing Education (AAVSB-RACE) as a medical program and amends CPE general requirements by adding a credit limitation for AAVSB-RACE approved medical programs.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE

April 2024 Board Meeting, mailing #G https://www.oregon.gov/pharmacy/Documents/April_2024_Bd_Mtg_Agenda.pdf

American Association of Veterinary State Boards (AAVSB) Registry of Approved Continuing Education (RACE) Standards for Approved Providers of Continuing Veterinary Medical Education- <https://www.aavsb.org/ce-services/race/review-the-race-standards>

Registry of AAVSB-RACE approved CE courses - <https://courses.cebroker.com/search/or/veterinarian>

STATEMENT IDENTIFYING HOW ADOPTION OF RULE(S) WILL AFFECT RACIAL EQUITY IN THIS STATE

The proposed amendments may provide clarity, transparency and promote patient safety, no effects on racial equity are anticipated.

FISCAL AND ECONOMIC IMPACT:

No fiscal or economic impacts are anticipated.

COST OF COMPLIANCE:

(1) Identify any state agencies, units of local government, and members of the public likely to be economically affected by the rule(s). (2) Effect on Small Businesses: (a) Estimate the number and type of small businesses subject to the rule(s); (b) Describe the expected reporting, recordkeeping and administrative activities and cost required to comply with the rule(s); (c) Estimate the cost of professional services, equipment supplies, labor and increased administration required to comply with the rule(s).

There are no known economic impacts to the agency, other state or local government, small businesses or members of the public.

DESCRIBE HOW SMALL BUSINESSES WERE INVOLVED IN THE DEVELOPMENT OF THESE RULE(S):

Small businesses were not involved in determining to amend the rules. A notice of rulemaking hearing will be sent to interested parties, some of whom may identify as a small business and will have an opportunity to provide public comment on the proposed rule amendments.

WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? NO IF NOT, WHY NOT?

The resources involved in convening a RAC were not necessary to amend these rules.

RULES PROPOSED:

855-135-0001, 855-135-0010

AMEND: 855-135-0001

RULE SUMMARY: Proposes to add continuing veterinary medical education (CVME) accredited by the American Association of Veterinary State Boards Registry of Approved Continuing Education (AAVSB-RACE) as a medical program to CPE definitions. The Board reviewed a request regarding limited access to continuing pharmacy education relevant to veterinary pharmacy CPE during the April 2024 board meeting, and discussed the proposed rule amendment during the June 2024 board meeting.

CHANGES TO RULE:

855-135-0001

Continuing Pharmacy Education: Definitions

(1) "Accredited program" means a structured continuing pharmacy education (CPE) program which has been reviewed and approved by a provider of ~~ε~~;¶

(a) Continuing pharmacy education that is accredited by the Accreditation Council on Pharmaceutical Education (ACPE) (v. 046/021/2024) or ε2); ¶

(b) Continuing medical education (CME) accredited by the Accreditation Council for Continuing Medical Education (ACCME) or an ACCME-recognized State Medical Society (v. 036/20242) as an American Medical Association (AMA) Category 1 CME program.; or¶

(c) Continuing veterinary medical education (CVME) accredited by the American Association of Veterinary State Boards Registry of Approved Continuing Education (AAVSB-RACE) as a medical program.¶

(2) "Board-approved program" means a structured continuing pharmacy education program which has been reviewed and approved by the board.¶

(3) "Certificate of completion" means a certificate or other official document issued to a participant certifying the successful completion of a continuing pharmacy education program.¶

(4) "Continuing Pharmacy Education" or "CPE" means an accredited or board-approved program designed to support the continuing development of Pharmacists, Interns, Certified Oregon Pharmacy Technicians or Pharmacy Technicians to maintain and enhance their competence applicable to the practice of pharmacy or the assistance of the practice of pharmacy. ¶

(5) "Contact hour" means sixty minutes of continuing pharmacy education. ¶

(6) "CPE Monitor" means the electronic tracking service of the ACPE and the National Association of Boards of Pharmacy (NABP) for monitoring continuing pharmacy education that Pharmacists, Interns, Certified Oregon Pharmacy Technicians and Pharmacy Technicians receive from participating providers;¶

(7) "Cultural competence" means the lifelong process of examining the values and beliefs and developing and applying an inclusive approach to health care practice in a manner that recognizes the content and complexities of provider-patient communication and interaction and preserves the dignity of individuals, families, and communities.¶

(a) Cultural competence applies to all patients.¶

(b) Culturally competent providers do not make assumptions on the basis of an individual's actual or perceived abilities, disabilities or traits whether inherent, genetic or developmental including: race, color, spiritual beliefs, creed, age, tribal affiliation, national origin, immigration or refugee status, marital status, socio-economic status, veteran's status, sexual orientation, gender identity, gender expression, gender transition status, level of formal education, physical or mental disability, medical condition or any consideration recognized under federal, state and local law.¶

(8) "Medication error prevention" means the prevention of events that may cause or lead to inappropriate medication use or patient harm, while the medication is in the control of the healthcare professional, patient, or consumer. ¶

(9) "Patient safety" means the prevention of healthcare related errors or the elimination or mitigation of patient injury caused by healthcare related errors. ¶

(10) "Pain management education program" means a specific one-hour web-based program developed by the Pain Management Commission of the Oregon Health Authority.¶

(11) "Pharmacy law" means the body of laws relating to pharmacy practice.¶

(12) "Structured continuing pharmacy education" or "Structured CPE" means education that includes defined learning objectives, qualified instructors, learning assessment, and a program evaluation.¶

~~[Publications: Publications referenced are available for review at the agency.]~~

Statutory/Other Authority: ORS 689.205, ORS 676.850

Statutes/Other Implemented: ORS 413.450, ORS 413.590, ORS 689.255, ORS 689.285, ORS 689.486, ORS 689.490

AMEND: 855-135-0010

RULE SUMMARY: Proposes adding AAVSB-RACE approved medical programs to general requirements when calculating CPE credit requirements. The Board reviewed a request regarding limited access to continuing pharmacy education relevant to veterinary pharmacy CPE during the April 2024 board meeting and discussed the proposed rule amendment during the June 2024 board meeting.

CHANGES TO RULE:

855-135-0010

Continuing Pharmacy Education Programs: General Requirements

(1) CPE programs must consist of subject matter pertinent to pharmacy including:¶

- (a) Socioeconomic aspects of healthcare; ¶
- (b) Legal aspects of healthcare; ¶
- (c) Properties and actions of drugs and dosage forms; ¶
- (d) Etiology, characteristics, therapeutics, and prevention of disease states; or ¶
- (e) General topics related to pharmacy. ¶

(2) Time spent in the following activities may be included in the calculation of CPE credit:¶

- (a) A program delivered by an instructor or a panel of instructors; ¶
- (b) A structured CPE discussion, workshop or demonstration; ¶
- (c) A structured CPE question and answer session; ¶
- (d) An ACPE accredited program or board-approved program; ¶
- (e) An ACCME AMA Category 1 accredited program or AAVSB-RACE approved medical program up to the following limits per renewal cycle: ¶
- (A) 10 hours of CPE for Pharmacists; ¶
- (B) 6 hours of CPE for Certified Oregon Pharmacy Technicians and Pharmacy Technicians. ¶
- (f) A policy discussion at an Oregon Board of Pharmacy meeting up to a maximum of 2 hours of law CPE per renewal cycle. ¶

(3) Time spent in the following activities must not be included in the calculation of CPE credit:¶

- (a) Welcoming remarks; ¶
- (b) Meals or social functions; ¶
- (c) Business sessions (e.g. voting, treasury report, strategic plan); ¶
- (d) Unstructured discussion, workshops, and demonstrations; ¶
- (e) Unstructured question and answer sessions; ¶
- (f) Degree programs; ¶
- (g) Non-ACPE approved certificate programs; ¶
- (h) Licensing or certification examinations; ¶
- (i) Skills training programs; ¶
- (j) Software training programs; ¶
- (k) Learning assessments; ¶
- (l) Program evaluations; and ¶
- (m) Attending CPE programs for which credit was not granted by the provider. ¶

(4) For each accredited or board-approved program, the licensee must retain a certificate of completion for each completed program that includes:¶

- (a) Licensee name; ¶
- (b) Title, activity date, and activity number of the program; ¶
- (c) Topic designation (e.g. law, patient safety, pain); ¶
- (d) Name of the program provider; ¶
- (e) Number of contact hours earned by topic designation; and ¶
- (f) Statement of credit granted to the participant. ¶

(5) For each accredited or board-approved program, the licensee must ensure that licensee program completion CPE credit was recorded in the CPE Monitor or a certificate of completion is uploaded to the licensee's electronic licensing record with the board prior to submission of the license renewal.

Statutory/Other Authority: ORS 689.205

Statutes/Other Implemented: ORS 689.255, ORES 689.285, ORS 689.490