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PERMANENT ADMINISTRATIVE ORDER

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CHAPTER 855

BOARD OF PHARMACY

FILED

08/09/2024 11:24 AM
ARCHIVES DIVISION
SECRETARY OF STATE
& LEGISLATIVE COUNSEL

FILING CAPTION: Eliminates Remote Dispensing Site Pharmacy (RDSP) general requirement related to mileage limitation

EFFECTIVE DATE: 08/09/2024

AGENCY APPROVED DATE: 08/08/2024

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AMEND: 855-139-0200

NOTICE FILED DATE: 06/20/2024

RULE SUMMARY: Repeals mileage requirements between the RDSP and RDSP Affiliated Pharmacy. The Board received public feedback related to mileage requirements between the RDSP and RDSP Affiliated Pharmacy during the April 2024 board meeting. The Board discussed repealing existing mileage requirements during the June 2024 board meeting.

CHANGES TO RULE:

855-139-0200

Outlet: General Requirements

(1) A RDSP Affiliated Pharmacy may not be affiliated with more than two Remote Dispensing Site Pharmacies.¶

~~(2) A RDSP Affiliated Pharmacy must be less than 120 miles apart via the shortest surface street route from the RDSP.¶~~

~~(3) A RDSP and its RDSP Affiliated Pharmacy must:¶~~

~~(a) Have the same owner; or¶~~

~~(b) Have a written contract that specifies:¶~~

~~(A) The services to be provided by each licensee and registrant;¶~~

~~(B) The responsibilities of each licensee and registrant; and¶~~

~~(C) The accountabilities of each licensee and registrant;¶~~

~~(c) Ensure each prescription is dispensed in compliance with OAR 855-019115, OAR 855-0125 and OAR 855-139;¶~~

~~(d) Comply with all applicable federal and state laws and rules;¶~~

~~(e) Designate in writing the Oregon licensed Pharmacists and Certified Oregon Pharmacy Technicians or~~

~~Pharmacy Technicians authorized to access the RDSP and operate the telepharmacy system;¶~~

~~(f) Train the Oregon licensed Pharmacists and Certified Oregon Pharmacy Technicians or Pharmacy Technicians~~

~~in the operation of the telepharmacy system and RDSP;¶~~

~~(g) Develop, implement and enforce a continuous quality improvement program for dispensing services from a RDSP designed to objectively and systematically:¶~~

~~(A) Monitor, evaluate, document the quality and appropriateness of patient care;¶~~

~~(B) Improve patient care; and¶~~

- (C) Identify, resolve and establish the root cause of dispensing and DUR errors and prevent their reoccurrence;¶
- (h) Provide a telephone number that a patient, patient's agent or prescriber may use to contact the Oregon licensed Pharmacist from the RDSP Affiliated Pharmacy; and¶
- (i) Develop, implement and enforce a process for an in person physical inspection of the RDSP by an Oregon licensed Pharmacist at least once every 28 days or more frequently as deemed necessary by the Oregon licensed Pharmacist-in-charge of the RDSP Affiliated Pharmacy. The inspection must utilize the RDSP self-inspection form, be documented, and records retained.

Statutory/Other Authority: ORS 689.205, ORS 689.700, ~~2022 HB 4034~~

Statutes/Other Implemented: ORS 689.155, ORS 689.700, ~~2022 HB 4034~~