

## LICENSE RENEWALS FOR 2004

The Board will mail all renewal applications for licenses and permits expiring June 30, 2003 during the week of May 5th. Any address changes submitted after this period will not be reflected on your renewal application. If for any reason you do not receive your renewal application by May 19th, it is **your** responsibility to obtain one. Any renewal postmarked after July 15th is subject to the penalty fee whether or not an application was received. Renewal forms will be available from our web site at [www.pharmacy.state.ok.us](http://www.pharmacy.state.ok.us). **Note: Pharmacists! Do not sign your renewal until you have conducted a verification of your CE credits and are 100% confident of full compliance with regulations. You may be subjecting yourself to perjury and possible disciplinary action if audited.**

## TOP FIVE REASONS WHY A RENEWAL APPLICATION IS RETURNED

1. Missing Information. Almost every line requires an answer or a check mark. If any information is missing or left blank, the renewal will be returned.
2. Failure to sign and/or date the renewal application.
3. Failure to sign and/or date a required pharmacy controlled substance inventory.
4. Failure to complete at least 15 clock hours of continuing education in the previous calendar year.
5. Failure to submit renewal application on or before the due date. Applications postmarked after July 15th will be returned and assessed a penalty fee.

## HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT (HIPAA)

The Health Insurance Portability and Accountability Act (HIPAA) provides for privacy and security of an individual's health care information. The Board of Pharmacy did not implement these requirements and enforcement of the provisions of HIPAA is not the

responsibility of the Board. The portion affecting pharmacies becomes effective April 14, 2003. Information concerning HIPAA compliance and regulations is available at [www.cms.hhs.gov/hipaa](http://www.cms.hhs.gov/hipaa) under "HIPAA Administration Simplification" or contact your professional association.

**EXAM NOTICE - The OKLAHOMA PHARMACY LAW EXAM will be given to Graduating Pharmacy Students on APRIL 28, 2003.**

The Board is offering the law exam to students prior to graduation so that they may be eligible to practice as a pharmacist sooner.

**BOARD MEETING - JANUARY 29-30, 2003**

**Disciplinary Action**

Dale Behnke, D.Ph. #12809 - Case 650: License suspended. *Charges:* (1) failed to conduct himself in a manner which entitles him to the respect and confidence of the community in which he practices, (2) convicted of a felony.

Harrold Lee Champlin, D.Ph. #10449 - Case 651: Received Letter of Reprimand and must view "Error Correction Video" and complete the accompanying course within 90 days. *Charge:* received two or more warning notices within a 12 month period.

William Newton Cornwell, D.Ph. #7322 - Case 652: Received Letter of Reprimand; must view "Error Correction Video" and complete the accompanying course within 90 days; assessed a \$500 Fine. *Charge:* received two or more warning notices within a 12 month period.

Miral H. Parker, D.Ph. #8619 - Case 653: Assessed a \$1,000 Fine; agrees to attend an approved one-day Law Seminar in the year 2003 over and above the fifteen hours of required

continuing education. *Charges:* (1) filling prescriptions that were not signed by a physician, (2) failing to conduct business as a pharmacist in conformity with all federal, state and municipal laws.

The Board also took action in seven (7) impaired cases: *Case 471-D.Ph. #9090* had the probation of his license removed and was returned to good standing; *Case 630-D.Ph. #11157* had the restriction of his license regarding controlled dangerous substances removed; *Case 594-D.Ph. #11972, Case 613-D.Ph. #12640, Case 655-D.Ph. #9588, Case 657-D.Ph. #8193 and Case 659-D.Ph. #10221* received suspension and/or probation subject to certain terms and were assessed a total of \$ 7,500 in fines.

#### **FROM THE INSPECTORS:**

- **Reminder:** Bureau of Narcotics Rule 475:30-1-15 states "pharmacists are required to obtain positive identification if they are unsure of the identity of a person picking up a prescription for any controlled dangerous substance." We have had several patients reporting that they did not receive their medication. I.D. with a log may be a good solution.
- **DEA 222.** Please review the requirements on completing DEA 222 forms properly. Not only when ordering. Be sure to record the items received.
- **Separate Files.** Please set up separate files for your invoices on C-II's and C-III thru C-V.
- **Inspectors must be able to read posted licenses and permits.** Please make sure that licenses and permits are posted at a readable distance and that all license and permit numbers are clearly visible. We have found several technician permits that do not have a visible permit number because the photo is too large.

## **LONG-TERM CARE vs. ASSISTED LIVING**

Long-term care facilities and assisted living facilities are fundamentally different and prescriptions called in by nursing personnel from these facilities need to be treated differently.

Long-term care facilities provide the care and services of an intermediate care facility, a nursing facility or a skilled nursing facility. These services include mental care, nursing care or rehabilitation services as well as shelter and food. Prescriptions are written or transcribed in the patient's chart and may be called or faxed into the pharmacy by nursing personnel who are acting as agents of the prescriber. These prescriptions may be filled without further verification.

Assisted living facilities provide shelter, food and care for persons who require or request such services due to age, illness or physical disability. Nursing personnel who call in a prescription are acting as an agent of the patient and these prescriptions need to be verified by the pharmacist.

## **INTERNS MUST POST ORIGINAL CERTIFICATE!**

OAC 535:10-5-2 states that "interns shall conspicuously display in their training area the intern certificate provided by the Board". Inspectors have been finding copies of intern certificates posted in pharmacies. Interns are issued one certificate by the Board and must post that certificate.

## **FOREIGN PRESCRIPTION MEDICATION ILLEGAL IN U.S.**

The FDA has testified before Congress that it is illegal to obtain prescription medications from a foreign country. Citizens of the U.S. cannot be assured of the quality and safety of foreign drugs. The law requires prescription medications be FDA approved. Canadian operations shipping prescriptions into Oklahoma are illegal. Although the FDA has

been working to prevent large shipments of foreign drugs from entering the United States and have not yet pursued individuals who purchase foreign medications for their personal use, both practices are illegal. There are many counterfeit medications in foreign countries. Canadian pharmacy operations require the patients to pay in advance and sign a "Hold Harmless" statement for the pharmacy, leaving the patient no recourse for an error. ***BPO (Bryan Potter's Opinion):*** *At some point, a number of our citizens are going to be hurt. The cause of the problem and the question that should be asked is "Why are the manufacturers of these drugs charging 50-80% less to the Canadians?"*

### **TECHNICIAN PERMITS CANCELED**

The Board has canceled the permits of pharmacy technicians who failed to renew their permits for the year February 1, 2003 through January 31, 2004. Please make sure that all of your technicians have a current permit posted.

### **ATTENTION PHARMACISTS, INTERNS & TECHNICIANS!**

The Oklahoma Tax Commission has notified the Board of over 40 registrants who are not in compliance with state income tax laws. If you are one of these registrants, the Tax Commission has already contacted you and a ***"tax hold"*** has been placed on your license. The Board ***cannot process any application*** that has a hold until this issue is resolved. ***Don't wait until you cannot work, contact the Oklahoma Tax Commission at 405-522-6800 and get your hold released!***

### **NEW PHARMACISTS**

New pharmacists licensed by the Board may be viewed on our website [www.pharmacy.state.ok.us](http://www.pharmacy.state.ok.us) under "Announcements". The list is updated quarterly.

### **OKLAHOMA PHARMACISTS HELPING PHARMACISTS**

If you or a pharmacist you care about is suffering from chemical dependency, there is a solution. Oklahoma Pharmacists Helping Pharmacists (OPHP) is readily available for help. Pharmacists in Oklahoma, Texas and Louisiana may call the OPHP Help-Line at 1-800-260-7574 ext. 5. All others may call OPHP at 405-528-3338. All calls are confidential.