

CHAPTER 5. PROFESSIONAL STANDARDS

SUBCHAPTER 3. DISPENSING DANGEROUS DRUGS

Section

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510:5-3-1. Purpose

The purpose of this subchapter is to provide information regarding certain statute requirements for prescribing and dispensing dangerous drugs. (Title 59 O.S. 355 Et Seq.)

[Source: Added at 13 Ok Reg 2225, eff 6-27-96]

510:5-3-2. Definitions

The following words or terms, when used in this Subchapter, shall have the following meaning, unless the context clearly indicates otherwise:

"Dangerous Drugs" means any drug intended for use by man which, because of its toxicity or other potentiality for harmful effects, or the method of its use, or the collateral measures necessary for its use, is not safe for use except under the supervision of a practitioner licensed by law to administer such drugs. This shall include all drugs upon which the manufacturer or distributor has, in compliance with federal law and regulations, placed the following: "Caution--- Federal Law prohibits dispensing without prescription".

"Licensed practitioner" means an Osteopathic Physician and Surgeon licensed to practice and authorized to prescribe medication within the scope of his practice.

"Professional samples" means complimentary drugs packaged in accordance with federal and state statutes and regulations and provided to a licensed practitioner free of charge in such package by the licensed practitioner to his patients.

[Source: Added at 13 Ok Reg 2225, eff 6-27-96]

510:5-3-3. Restriction on dispensing dangerous drugs; packaging and labelling

(a) Only a licensed Osteopathic Physician and Surgeon may dispense dangerous drugs to patients and only for the expressed purpose of serving the best interests and promoting the patient welfare.

(b) The dangerous drugs shall be dispensed in an appropriate container to which a label has been affixed. This label shall include the name and office address of the licensed osteopathic physician, date dispensed, name of patient, directions for administration, the prescription number, the trade or generic name of the substance, the quantity and strength, of the drug therein contained. This requirement shall not apply to compound medicines.

[Source: Added at 13 Ok Reg 2225, eff 6-27-96]

510:5-3-4. Record keeping

A licensed osteopathic physician shall keep a suitable book, file, or record of each and every dangerous drug compounded or dispensed by him/her. This book, file, or record shall be kept for a period of not less than five (5) years. This book, file, or record shall be maintained separately from all other records of the registrant and must be open for inspection and copying by the Board.

[Source: Added at 13 Ok Reg 2225, eff 6-27-96]

510:5-3-5. Annual registration

(a) A licensed osteopathic physician desiring to dispense dangerous drugs shall register annually with the Board as a dispenser. Forms for registration shall be provided by the Board. Registration shall be done on or before the first day of July annually. Each such application shall be accompanied by the appropriate fee.

(b) Only an individual holding a valid license in good standing issued by the Oklahoma State Board of Osteopathic Examiners may register as a dispenser.

[Source: Added at 13 Ok Reg 2225, eff 6-27-96]

510:5-3-6. Dispensing professional samples

A licensed osteopathic physician who dispenses professional samples of dangerous drugs to his or her patients shall be exempt from the provisions of 510:5-3-5 if:

- (1) *the licensed osteopathic physician furnishes the professional samples to the patient in the package provided by the manufacturer; and*
- (2) *no charge is made to the patient; and*
- (3) *an appropriate record is entered in the patient's chart.*

[Source: Added at 13 Ok Reg 2225, eff 6-27-96]

510:5-3-7. Violations

The violation of any provision of this subchapter shall constitute unprofessional conduct, for which an application for licensure or reinstatement may be denied and for which appropriate sanctions may be imposed on a licensee.

[Source: Added at 13 Ok Reg 2225, eff 6-27-96]

510:5-3-8. Exemptions

This subchapter does not apply to drugs dispensed by the State Department of Health or the State Department of Mental Health and Substance Abuse Services. The requirements of Sections 5 and 6 of this subchapter do not apply to drugs dispensed by non-professional or other organizations described in 59 O.S. Section 355.1(E).

[Source: Added at 13 Ok Reg 2225, eff 6-27-96]