

From: Laura Wester [REDACTED]
Sent: Monday, June 22, 2009 2:35 PM
To: Gay Dodson
Cc: Laura Wester
Subject: License Requirement

Good afternoon,

We are interested in providing telephonic consulting to residents in your state and need to know if it would be required for us to have a Non-Resident Pharmacy license to do this. The type of consulting we would provide would be in reference to Medication Therapy Management. The person making the calls would be a pharmacist and not a physician.

If you would, please let us know what license requirement (if any) would be needed in our situation.

Thanks for your assistance.

Best Regards,

Laura Wester

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6/29/2009

-----Original Message-----

Sent: Friday, June 26, 2009 10:24 AM

To: Gay Dodson

Subject: Question About Pharmaceutical Consultation

Greetings;

I have the following question regarding pharmaceutical consultation services such as "medication therapy management" and "drug regimen review":

Can a pharmacist provide "drug regimen review" or "medication therapy management" for patients across State line as long as the consulting pharmacist is appropriately licensed in at least one State?

Considering the fact that consultant pharmacists are NOT dispensing Drugs and Controlled Substances and they are only providing cognitive pharmaceutical consultation.

Regards,

Dr. Saeed Binaei, PharmD, CGP

[REDACTED]

Greg Berryhill R.Ph.
9/24/09

Hello,

I am currently gathering information for CPSI (Computer Programs and Systems INC located in Mobile, AL) to help them evaluate whether or not 'Remote Order Processing' is a service they may possibly offer their customers. CPSI provides hospital-wide software. They have approximately 440 hospitals that use their pharmacy software with several of these located in Texas. Most of these hospitals are smaller facilities that do not have 24 hour pharmacy coverage.

I am requesting clarification and guidance regarding the Texas Board of Pharmacy rules for Non-resident pharmacies and hospital 'Remote Medication Order Processing' (or 'Remote Order Entry'). I have read Rules 291.101-291.105 relating to Non-resident pharmacies (Class E) and Rule 291.123 Central Prescription Drug or Medication Order Processing. I want to gain a clear understanding of what is allowed under the rules and insure there are no other rules that apply specifically to remote order entry.

Consider the following with regard to the previously mentioned rules:

- An out-of-state pharmacy obtains a Non-Resident Class E license with the Texas Board of Pharmacy.
- The Class E pharmacy contracts with one or more Texas hospitals.
- The pharmacist are licensed with the State Board of Pharmacy in the state where the Class E pharmacy is located.
- Pharmacists at the Class E pharmacy receive medication orders from the hospital by fax or other electronic means and process/enter the orders into the hospital pharmacy computer system thus allowing a pharmacist to review the orders prior to administration of the medication by the nurse.
- The parties have appropriate policy and procedure manuals, access to common electronic files, the ability to maintain applicable records, procedures for privacy protection, compliance with state and federal laws, etc.

May an out-of-state pharmacy provide remote order entry services to Texas hospitals if the above scenario occurs?

Ultimately our goal is to be in compliance with the applicable rules should CPSI decide to pursue this project. Any assistance or suggestions will be greatly appreciated.

Thank You,

Greg