



April 8, 2008

Ben Fry, R.Ph.
President
Texas State Board of Pharmacy
William P. Hobby Building
Suite 3-600
333 Guadalupe Street,
Austin, Texas 78701-3943

Dear Mr. Fry:

Texas Pharmacy Rules (22 TAC, Part 15) specifies the minimum information that must be present on the dispensing container label at the time of delivery of the drug for a Class A pharmacy.

291.33 Operational Standards

(c) Prescription dispensing and delivery

(7) Labeling

(A)dispensing container shall bear a label with at least the following Information:

The dispensing process has been changing dramatically over the last several years. The Board has recognized the various changes and the number of individuals (both pharmacists and technicians) who may be involved in the preparation of a prescription order. The rules recognize and define the dispensing process as including a variety of activities such as drug regimen review; verification of accurate prescription data entry, packaging, preparation, and labeling; and performance of the final check of the dispensed prescription. These activities may be performed by different individuals and may occur at remote sites. As a result, the Board is considering proposed rules that expand the responsibility for dispensing activities to other pharmacists who may be involved in the dispensing process and not solely the dispensing pharmacist who is responsible for the final check and verification dependent upon the ability of the pharmacy system to record the identity of the individual. Many pharmacy dispensing systems have safeguards and auditing features that identify the individuals involved in these activities along with the location where the activity may have been performed. This allows for a comprehensive audit trail for identification purposes which is available to the Board for administrative purposes.

The printing of a prescription label may occur at different points in the dispensing process. It may occur immediately after data entry. It may print further downstream at the point of assembly of the order. It can be affixed to the prescription container by a technician. It may be affixed to the container by an automated dispensing device, such as a Script Pro robotic unit. All of the above activities can occur prior to the final verification of the prescription order by the dispensing pharmacist as defined by Texas Pharmacy Rules.

Current rules for Class A Community Pharmacy require the label to have the initials or an identification code of the dispensing pharmacist. 291.33 (c) (7) (A) (iv)

I would ask that the Board review and consider the possibility of modifying this labeling requirement to allow the pharmacy the option to either include the identification of the dispensing pharmacist on the prescription label or to recognize that this is not a requirement in the event the dispensing pharmacist can be recorded accurately in the pharmacy data processing system. For Board administrative and investigative activities, this information is readily retrievable.

The Practice of Pharmacy continues to evolve and move forward. I would appreciate the Board considering discussing this topic further and I am available for further discussion.

Sincerely


Dennis F. Wiesner, R. Ph.

Senior Director

H-E-B

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