

RULE ANALYSIS

Introduction: THE AMENDMENTS ARE SUBMITTED TO THE BOARD FOR CONSIDERATION AS A PROPOSED RULE

Short Title: Emergency Medication Kits

Rule Numbers: §291.121

Statutory Authority: Texas Pharmacy Act, Chapter 551-566 and 568-569, Occupations Code:

- (1) Section 551.002 specifies that the purpose of the Act is to protect the public through the effective control and regulation of the practice of pharmacy; and
- (2) Section 554.051 gives the Board the authority to adopt rules for the proper administration and enforcement of the Act.

Purpose: The amendments, if adopted, clarify the requirements for emergency kits using automated systems and bar-code type technology.

1 TITLE 22 EXAMINING BOARDS
2 PART 15 TEXAS STATE BOARD OF PHARMACY
3 CHAPTER 291 PHARMACIES
4 SUBCHAPTER G SERVICES PROVIDED BY PHARMACIES

5
6 **§291.121 Remote Pharmacy Services**
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8 (a) (No change.)
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10 (b) Remote pharmacy services using emergency medication kits.

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12 (1) – (3) (No change.)
13

14 (4) Operational standards.
15

16 (A) – (E) (No change.)
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18 (F) Stocking emergency medication kits.
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20 (i) Stocking of drugs in an emergency medication kit shall be completed at the provider
21 pharmacy or remote site by a pharmacist, pharmacy technician, or pharmacy technician trainee
22 under the direct supervision of a pharmacist, except as provided in clause (ii) of this
23 subparagraph.
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25 (ii) If the emergency medication kit is an automated pharmacy system which uses **bar-**
26 **coding, microchip, or other technologies to ensure that the containers are accurately**
27 **loaded** [~~removable cartridges or containers to hold drugs~~], the prepackaging of the cartridges or
28 containers shall occur at the provider pharmacy unless provided by **an** [~~and~~] FDA approved
29 repackager. The prepackaged cartridges or containers may be sent to the remote site to be
30 loaded into the machine by personnel designated by the pharmacist-in-charge provided:
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32 (I) a pharmacist verifies the cartridge or container has been properly filled and labeled;
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34 (II) the individual cartridges or containers are transported to the remote site in a secure,
35 tamper-evident container; and
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37 (III) the automated pharmacy system uses bar-coding, microchip, or other technologies to
38 ensure that the containers are accurately loaded in the automated pharmacy system.
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40 (iii) All drugs to be stocked in the emergency medication kit shall be delivered to the remote
41 site by the provider pharmacy.
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43 (G) (No change.)
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45 (5) (No change.)
46

47 (c) (No change.)