



NATIONAL ASSOCIATION OF  
CHAIN DRUG STORES

April 16, 2018

Colorado State Board of Pharmacy  
1560 Broadway, Conference Room 110 D  
Denver, Colorado 80202

Via email: [wendy.anderson@state.co.us](mailto:wendy.anderson@state.co.us)

To Whom It May Concern:

On behalf of our members operating chain pharmacies in the state of Colorado, the National Association of Chain Drug Stores (“NACDS”) appreciates the opportunity to comment to the Colorado State Board of Pharmacy (“Board”) on the draft proposed rules that the Board will consider at the April 17, 2018 Informal Stakeholder Meeting. In particular, we are writing to provide input on the proposed new Rule 11.03.05 that would establish a perpetual inventory requirement. We appreciate the Board considering our input on this matter.

Under 11.03.05 (a), the Board has proposed to establish a perpetual inventory requirement for medications that include schedule II controlled substances, schedule III-IV controlled substances that are opioids, benzodiazepines, and controlled substance skeletal muscle relaxants. We are concerned that the proposed perpetual inventory requirement is too broad. Especially with the large number of benzodiazepines that are commonly prescribed to treat anxiety, seizures and other health conditions, complying with the perpetual inventory requirement would necessitate a tremendous adjustment in workflow and procedures which may have unintended consequences on the delivery of patient care. Therefore, we urge the board to (at least initially) limit the perpetual inventory requirement to schedule II controlled substances only. If the board determines that there are ongoing inventory concerns with other categories of controlled substances prescriptions, the Board should then pursue additional rule changes to address those.

Additionally, we ask the Board to consider an additional clarification to the language under 11.03.05 (b)(4) pertaining to the information that is required to be maintained as part of the perpetual inventory. Specifically, (b)(4) would require that “[a]ll outdated controlled substances” be recorded on the inventory. This language could be read to exclude products removed from inventory that are not outdated (such as products that were damaged or stolen,) creating confusion with respect to what products are subject to the perpetual inventory requirement. Additionally, policies and procedures for every pharmacy are very different; outdated controlled substances maybe quarantined and/or sent out at various times, and logging of these into the inventory could become very

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confusing. To clarify this issue, we ask the Board to revise the language to specify that all schedule II controlled substances that have been removed from inventory be recorded.

To address the concerns outlined above, we recommend the following revisions to the language in proposed new Rule 11.03.05:

Perpetual Inventories of Controlled Substances. **All pharmacies shall maintain a perpetual inventory of all schedule II controlled substances that shall be reconciled according to facility policy. All prescription drug outlets shall at all times maintain a current, complete and accurate perpetual controlled substance inventory. All perpetual inventory of controlled substance inventories shall comply with the following:**

**a. Each inventory shall include, at minimum, all of the following classes of controlled substances:**

- (1) Schedule II controlled substances;**
- (2) Schedule III and IV opioid controlled substances;**
- (3) Benzodiazepines; and**
- (4) Controlled substance skeletal muscle relaxants.**

**b. a.** The following information shall be recorded on the inventory.

- (1) The name of the drug;
- (2) Each finished form of the drug (strength and dosage form);
- (3) The number of units or volume of each finished form.
- (4) All ~~outdated~~ **schedule II** controlled substances **removed from inventory.**

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NACDS thanks the Board for considering our comments on these draft proposed rules. Please do not hesitate to contact me via email (mstaples@nacds.org) or by phone (817-442-1155) if we can be of further assistance.

Sincerely,



Mary Staples  
Regional Director, State Government Affairs

cc: Chris Gassen  
Angie Baker, Colorado Retail Council