

PHARMACY BOARD [657]

Adopted and Filed

The Board of Pharmacy hereby amends Chapter 4, “Pharmacist-Interns,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is adopted under the authority provided in Iowa Code sections 147.76, 147.80, and 155A.6.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code sections 147.80, and 155A.6.

Purpose and Summary

Pursuant to Iowa Code section 17A.7(2), the Board conducted a five-year review of this chapter of rules. This rule making:

- Provides consistency in the experiential training required of pharmacist-interns who are graduates of pharmacy programs in the United States and foreign pharmacy program graduates who are candidates for licensure in Iowa,
- Provides consistent language with other Board rules relating to the use of an ITIN number in lieu of a social security number,
- Simplifies the subrule relating to delegated functions of a pharmacist-intern,
- Removes the reference to a license surcharge for the Board’s monitoring program, which the Board no longer assesses,
- Allows the Board to require the submission of a \$15 fee for verification of a pharmacist-intern registration or certification of hours,
- Provides language relating to the required notice to the Board following criminal or disciplinary action, and
- Rearranges rules for clarity.

Public Comment and Changes to Rule Making

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on October 21, 2020, as **ARC 5235C**. The board received comments from the University of Iowa and the Iowa Pharmacy Association. The comments recommended the board consider inclusion of the term “student-pharmacist” as an additional permissible title for pharmacist-interns, expressed concern about the board’s expectation of notification within 10 days of a change in address, and recommended the board increase the initial registration fee of interns to cover the costs of requests for written verification of registration and certification of internship hours.

The board accepted the recommendation to include “student-pharmacist” as an alternative designation for registered pharmacist-interns and added the term in subrule 4.6(4). The board

recognizes the frequency at which a student may change addresses during pharmacy school but determined that the need for current contact information for distribution of board communications necessitates the existing notification requirement. Relating to the fees for written registration verification and certification of internship hours, the board declined increasing the initial registration fee to incorporate the costs of these services as each registrant is not necessarily going to request the service to be completed. A registrant may obtain, at no charge, a printed verification of registration via the board's online verification system. The board reports receiving approximately 1-2 requests for certification of internship hours weekly along with approximately 25-50 requests following graduation which does not equate to each registered intern.

Adoption of Rule Making

This rule making was adopted by the Board on _____, 2021.

Fiscal Impact

This rule making has minimal fiscal impact to the state of Iowa. As noted above, the board receives between 77 – 154 requests for certification of internship hours during the year which would result in between \$1,155 and \$2,310 in increased revenue. Since the board's implementation of its online verification system, the board has received no requests for written registration verification from a pharmacist-intern.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Board for a waiver of the discretionary provisions, if any, pursuant to 657—Chapter 34.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its regular monthly meeting or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

Effective Date

This rule making will become effective on _____, 2021.

The following rule-making action is adopted:

ITEM 1. Amend rule 657—4.6(155A) as follows:

657—4.6(155A) Registration, reporting, and authorized functions. Every person shall register with the board before beginning the person's internship experience, whether or not for the purpose of fulfilling the requirements of rule 657—4.3(155A). Registration is required of all students

enrolled in Iowa colleges of pharmacy upon commencement of the first professional year in the college of pharmacy. Colleges of pharmacy located in Iowa shall annually certify to the board the names of students who are enrolled in the first professional year in the college of pharmacy. Colleges of pharmacy located in Iowa shall, within two weeks of any change, certify to the board the names of students who have withdrawn from the college of pharmacy.

4.6(1) *Application for registration—required information.* Application for registration as a pharmacist-intern shall be on forms provided by the board, and all requested information shall be provided on or with such application. The application shall require that the applicant provide, at a minimum, the following: name; address; telephone number; date of birth; social security number or individual tax identification number (ITIN); and name and location of college of pharmacy and anticipated month and year of graduation. The college of pharmacy shall certify the applicant's eligibility to practice as a pharmacist-intern. If the applicant provides an ITIN in lieu of a social security number, the applicant shall also provide acceptable proof of lawful presence in the United States.

4.6(2) *Supervision and authorized functions.* A licensed pharmacist shall be on duty in the pharmacy and shall be responsible for the actions of a pharmacist-intern during all periods of internship training. At the discretion of the supervising pharmacist, ~~the following clinical and judgmental functions, usually restricted to a pharmacist,~~ may be delegated to pharmacist-interns registered by the board: a registered pharmacist-intern depending upon which functions are appropriate to the pharmacist-intern's level of education and training.

~~a. Verification of the accuracy, validity, and appropriateness of the filled prescription or medication order;~~

~~b. Review and assessment of patient records for purposes identified in rule 657—8.21(155A);~~

~~c. Patient counseling;~~

~~d. Administration of vaccines pursuant to rule 657—39.10(155A).~~

4.6(3) No change.

4.6(4) *Identification, reports, and notifications.* ~~Credit for internship time will not be granted unless registration and other required records or affidavits are completed.~~

~~a. The pharmacist-intern shall be so designated in all relationships with the public and health professionals. While on duty in the pharmacy, the intern shall wear visible to the public a name badge including that is visible to the public and includes the designation "pharmacist-intern", or "pharmacy student," or "student-pharmacist."~~

~~b. Registered interns shall notify the board office within ten days of a change of name or address.~~

~~c. Notarized affidavits of experience in non-college sponsored programs shall be submitted to the board no later than six months following graduation from a school or college of pharmacy. These affidavits shall certify only the number of hours and dates of training obtained outside a college-based clinical program as provided in rule 657—4.3(155A). An individual registered as a pharmacist-intern while participating in an Iowa residency or fellowship program shall not be required to file affidavits of experience.~~

4.6(5) *No Internship credit prior to registration.*

a. Credit will not be given for internship experience obtained prior to the individual's registration as a pharmacist-intern. Credit for Iowa college-based clinical programs will not be granted unless registration is issued before the student begins the program. Credit for internship experience will not be granted unless registration and other required records or affidavits are completed.

b. Notarized affidavits of experience in non-college-sponsored programs shall be submitted to the board no later than six months following graduation from a school or college of pharmacy. These affidavits shall certify only the number of hours and dates of training obtained outside a college-based clinical program as provided in rule 657—4.3(155A). An individual registered as a pharmacist-intern while participating in an Iowa residency or fellowship program shall not be required to file affidavits of experience.

4.6(6) *Nontraditional internship.* Internship training at any site which is not licensed as a general or hospital pharmacy is considered nontraditional internship.

a. and *b.* No change.

c. Certification, not credit. Hours obtained in nontraditional internship shall not be credited toward the total 1500 hours required pursuant to rule 657—4.3(155A) or 657—4.7(155A) prior to licensure to practice pharmacy in Iowa. The board may, however, certify hours obtained in one or more approved nontraditional internships in recognition of the pharmacist-intern's training outside the scope of traditional pharmacy practice. Certification shall not be granted for experience obtained in a nontraditional internship unless the board, prior to the intern's beginning the period of internship, approved the objectives of the internship.

ITEM 2. Amend rule 657—4.7(155A) as follows:

657—4.7(155A) Foreign pharmacy graduates. Foreign pharmacy graduates who are candidates for licensure in Iowa will be required to obtain a minimum of 1500 hours of internship in a licensed pharmacy licensed in a state or territory of the United States or other board-approved location that provides experience in community, institutional, and clinical pharmacy practices.

4.7(1) and 4.7(2) No change.

ITEM 3. Amend rule 657—4.8(155A) as follows:

657—4.8(155A) Fees. The fee for registration as a pharmacist-intern is \$30, ~~plus applicable surcharge pursuant to 657—30.8(155A)~~, which shall be payable with the application. The board may require the submission of a nonrefundable fee of \$15 for written registration verification or certification of internship hours.

ITEM 4. Renumber rule **657—4.11(155A)** as **657—4.12(155A)**.

ITEM 5. Adopt the following **new** rule 657—4.11(155A):

657—4.11(155A) Notifications to the board.

4.11(1) Reporting registration changes. A registered pharmacist-intern shall report to the board

within ten days a change of the pharmacist-intern's name, address or email address. Except for a change in name, an update to the pharmacist-intern's personal online profile through the board's online database shall satisfy this subrule.

4.11(2) *Reporting criminal convictions and pleas.* A registered pharmacist-intern who has been convicted of a crime, or entered a plea of guilty, nolo contendere, or no contest to a crime, other than a minor traffic offense, shall report such conviction or plea to the board within 30 days of adjudication.

4.11(3) *Reporting disciplinary action.* A registered pharmacist-intern who has been the subject of disciplinary action in another state, including but not limited to citations, reprimands, fines, license restrictions, probation, license or registration surrender, suspension, or revocation, shall report such action to the board within 30 days of adjudication.