

NOTICES OF RULEMAKING DOCKET OPENING

The Administrative Procedure Act (APA) requires the publication of Notices of Rulemaking Docket Opening when an agency opens a rulemaking docket to consider rulemaking. Under the APA effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process.

NOTICE OF RULEMAKING DOCKET OPENING

BOARD OF PHARMACY

Editor's Note: The following Notice of Rulemaking Docket Opening was reviewed per Executive Order 2011-05 as issued by Governor Brewer. (See the text of the executive order on page 1503.) The Governor's Office authorized the notice to proceed through the rulemaking process on June 24, 2011.

[R11-97]

- 1. Title and its heading:** 4, Professions and Occupations
Chapter and its heading: 3, Board of Pharmacy
Article and its heading: 4, Professional Practices
Section numbers: R4-23-411 (Sections may be added, deleted, or modified as necessary.)
- 2. Subject matter of the proposed rule:**
S.B. 1298 passed by the 50th Legislature changed A.R.S. § 32-1974 to allow pharmacists to administer influenza vaccine to a patient who is at least 6 years of age, but under 18 years of age without a prescription based on approved protocols. S.B. 1298 also allows pharmacists to administer immunizations and vaccines to a person who is at least 6 years of age, but under 18 years of age with a prescription order from a medical practitioner based on approved protocols. S.B. 1298 also allows a pharmacy intern who is certified by the Board to administer immunizations and vaccines under Board rules to do so only in the presence and under the immediate personal supervision of a pharmacist certified by the Board to administer immunizations and vaccines. The rulemaking will amend the language of R4-23-411 (Pharmacist-administered Adult Immunizations) to comply with the requirements of S.B. 1298. The rules will include format, style, and grammar necessary to comply with the current rules of the Secretary of State and Governor's Regulatory Review Council.

The agency docket number, if applicable:
R1101
- 3. A citation to all published notices relating to the proceeding:**
Notice of Proposed Rulemaking: 17 A.A.R. 1444, August 5, 2011 (*in this issue*)
- 4. Name and address of agency personnel with whom persons may communicate regarding the rule:**

Name:	Dean Wright, Compliance Officer
Address:	Board of Pharmacy 1700 W. Washington St., Suite 250 Phoenix, AZ 85007
Telephone:	(602) 771-2727
Fax:	(602) 771-2749
E-mail:	dwright@azpharmacy.gov
- 5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**
The Board will accept written comments Monday through Friday, 8:00 a.m. to 5:00 p.m. Oral comments will be accepted:

Time:	Monday through Friday, 8:00 a.m. to 4:30 p.m.
Address:	Arizona Board of Pharmacy 1700 W. Washington St., Suite 250 Phoenix, AZ 85007

Written and oral comments will be accepted until the close of record on a date and time as yet undetermined.
- 6. A timetable for agency decisions or other action in the proceeding:**
Notice of Proposed Rulemaking: 17 A.A.R. 1444, August 5, 2011 (*in this issue*)

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[R11-98]

- 1. Title and its heading:** 4, Professions and Occupations
Chapter and its heading: 3, Board of Pharmacy
Article and its heading: 4, Professional Practices
Section numbers: R4-23-421, R4-23-422, R4-23-423, R4-23-424, R4-23-425, R4-23-426, R4-23-427, R4-23-428, R4-23-429 (Sections may be added, deleted, or modified as necessary.)

- 2. Subject matter of the proposed rule:**
S.B. 1298 passed by the 50th Legislature changed A.R.S. § 32-1970 to allow a pharmacist to enter into a protocol-based drug therapy management agreement with a provider to implement, monitor, or modify the drug therapy of a patient of the provider. The changes remove the requirement that drug therapy management must occur in a particular practice setting.

Because the statutory language has everything needed for a pharmacist to enter into a protocol-based drug therapy management agreement with a provider, we do not need the existing rules for drug therapy management in R4-23-421 through R4-23-429. The rulemaking will repeal the drug therapy management rules in R4-23-421 Drug Therapy Management, R4-23-422 Drug Therapy Management - Duties of the Board, R4-23-423 Drug Therapy Management Advisory Committee, R4-23-424 Drug Therapy Management - Pharmacist and Physician Qualifications, R4-23-425 Drug Therapy Management - Pharmacist Duties, R4-23-426 Drug Therapy Management - Physician Duties, R4-23-427 Drug Therapy Management - Documentation, R4-23-428 Drug Therapy Management - Quality Assurance, and R4-23-429 Drug Therapy Management - Privacy. The rules will include format, style, and grammar necessary to comply with the current rules of the Secretary of State and Governor's Regulatory Review Council.

The agency docket number, if applicable:

R1102

- 3. A citation to all published notices relating to the proceeding:**
Notice of Proposed Rulemaking: 17 A.A.R. 1447, August 5, 2011 (*in this issue*)

- 4. Name and address of agency personnel with whom persons may communicate regarding the rule:**

Name: Dean Wright, Compliance Officer
Address: Board of Pharmacy
1700 W. Washington St., Suite 250
Phoenix, AZ 85007
Telephone: (602) 771-2727
Fax: (602) 771-2749
E-mail: dwright@azpharmacy.gov

- 5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**

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Time: Monday through Friday, 8:00 a.m. to 4:30 p.m.
Address: Arizona Board of Pharmacy
1700 W. Washington St., Suite 250
Phoenix, AZ 85007

Written and oral comments will be accepted until the close of record on a date and time as yet undetermined.

- 6. A timetable for agency decisions or other action in the proceeding:**
Notice of Proposed Rulemaking: 17 A.A.R. 1447, August 5, 2011 (*in this issue*)