

## PHARMACY BOARD[657]

### Notice of Intended Action

**Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)"b."**

**Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.**

Pursuant to the authority of Iowa Code section 147.76, the Board of Pharmacy hereby gives Notice of Intended Action to amend Chapter 18, "Centralized Prescription Filling and Processing," Iowa Administrative Code.

This amendment was approved at the July 29, 2008, regular meeting of the Board of Pharmacy.

The proposed amendment eliminates the requirement for a written authorization from a patient before the pharmacy outsources the filling or processing of a patient's prescriptions. The amendment requires the pharmacy to display a sign and to provide written notice to patients prior to implementing a centralized filling or processing program or prior to providing pharmaceutical services to a new patient.

Requests for waiver or variance of the discretionary provisions of these rules will be considered pursuant to 657—Chapter 34.

Any interested person may present written comments, data, views, and arguments on the proposed amendment not later than 4:30 p.m. on October 28, 2008. Such written materials may be sent to Terry Witkowski, Executive Officer, Board of Pharmacy, 400 S.W. Eighth Street, Suite E, Des Moines, Iowa 50309-4688; or by E-mail to [terry.witkowski@iowa.gov](mailto:terry.witkowski@iowa.gov).

This amendment is intended to implement Iowa Code section 155A.13.

The following amendment is proposed.

Amend subrule 18.5(1) as follows:

**18.5(1) *Prior notification and authorization.*** A pharmacy that outsources prescription drug order filling or prescription drug order processing to another pharmacy shall, prior to outsourcing a patient's prescription:

*a.* Notify the patient or the patient's agent that prescription filling or processing may be outsourced to another pharmacy.

*b.* Provide the name of the pharmacy that will be filling or processing the prescription or, if the pharmacy is part of a network of pharmacies under common ownership and any of the network pharmacies may fill or process the prescription, the patient shall be notified of this fact. Notification ~~may~~ shall be provided through a ~~one-time written~~ notice to the patient or the patient's agent ~~or through use by means~~ of a sign prominently displayed in the originating pharmacy and through written notice provided to the patient or the patient's agent prior to implementation of the program or upon commencement of services to a new patient, as applicable.

~~*e.* — Following patient notification and prior to outsourcing, the originating pharmacy shall receive written authorization from the patient to outsource the filling or processing of a patient's prescription drug order. If a patient does not so authorize the originating pharmacy, the pharmacy shall not outsource the filling or processing of the patient's prescription drug orders.~~

~~*c.*~~ *c.* If a patient provides the originating pharmacy with notification that the patient no longer authorizes the originating pharmacy to outsource the patient's prescription drug orders, the originating pharmacy shall discontinue outsourcing the filling or processing of the patient's prescription drug orders.