

Effective 5/10/2016

58-17b-907 Rules made by the division.

The rules made by the division under Subsection 58-17b-903(2)(b) shall include:

- (1) registration requirements to establish the eligibility of a pharmacy to participate in the program;
- (2) a formulary that includes all eligible prescription drugs approved by the federal Food and Drug Administration;
- (3) standards and procedures for:
 - (a) verifying whether a pharmacy or pharmacist participating in the program is licensed and in good standing with the board;
 - (b) handling of a donated eligible prescription drug, including:
 - (i) acceptance;
 - (ii) identification, including redundant criteria for verification;
 - (iii) documentation, under 21 U.S.C. Sec. 360eee-1, of transaction information, history, and statements;
 - (iv) safe storage;
 - (v) security;
 - (vi) inspection;
 - (vii) transfer; and
 - (viii) dispensing;
 - (c) a pharmacist or licensed pharmacy technician working in or consulting with a participating eligible donor;
 - (d) disposition of a donated prescription drug that is a controlled substance;
 - (e) record keeping regarding:
 - (i) the eligible donor that donated each prescription drug;
 - (ii) the identification and evaluation of a donated prescription drug by a pharmacist or licensed pharmacy technician; and
 - (iii) the dispensing or disposition of a prescription drug;
 - (f) determining the status of a medically indigent individual;
 - (g) labeling requirements to:
 - (i) ensure compliance with patient privacy laws relating to:
 - (A) an individual who receives an eligible prescription drug; and
 - (B) patient information that may appear on a donated prescription drug;
 - (ii) clearly identify an eligible prescription drug dispensed under the program; and
 - (iii) communicate necessary information regarding the manufacturer's recommended expiration date or the beyond use date; and
 - (h) ensuring compliance with the requirements of this part;
- (4) a process for seeking input from:
 - (a) the Department of Health, created in Section 26-1-4, to establish program standards and procedures for assisted living facilities and nursing care facilities; and
 - (b) the Division of Substance Abuse and Mental Health, created in Section 62A-15-103, to establish program standards and procedures for mental health and substance abuse clients; and
- (5) the creation of a special training program that a pharmacist and a licensed pharmacy technician at an eligible pharmacy must complete before participating in the program.

Enacted by Chapter 405, 2016 General Session