

November 2007



# Ohio State Board of Pharmacy

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[www.pharmacy.ohio.gov](http://www.pharmacy.ohio.gov)

Published to promote voluntary compliance of pharmacy and drug law.

## What is a Valid Signature on a Prescription?

Please remember that rule 4729-5-30 (Manner of Issuance of a Prescription) of the Ohio Administrative Code requires that all hard-copy (written) prescriptions must be manually signed by the prescriber. If a patient arrives with a prescription that has a computer-generated signature, a rubber-stamped signature, or a signature that has the format of prescriber's name/office nurse's signature, the prescription is not valid and must be verified prior to dispensing. Of course, if it is a prescription for a Schedule II controlled substance, it may not be filled without the manual signature.

## Tamper-Resistant Prescription Pads and Federal Law

By now, everyone should be aware that President Bush signed HR 3668 on September 29, 2007, thereby delaying for six months the implementation of the requirement that all written Medicaid prescriptions be on tamper-resistant paper. The new effective date will be April 1, 2008. While that is a date that may strike some people as being appropriate for this type of a proposal, it should be assumed by everyone that this will probably be the only extension, although there will certainly be some continuing efforts made to amend or remove this requirement on the federal level. For right now, however, please assume that on April 1, 2008, doctors will be required to issue all written prescriptions for Medicaid patients on tamper-resistant forms. While the law requires the doctor to issue every prescription on the right form, the penalties for violations of this law will probably fall on the pharmacists who knowingly fill prescriptions that are written on incorrect forms and then bill Medicaid for the drugs. Please be aware that this is still coming and help your doctors prepare so we do not experience all the last-minute panic like we did in late August and September.

One additional aspect of this change in format is that the prescriptions that are written and then sent to the pharmacy via fax will now be coming through with "COPY" or "VOID" or another similar designation appearing on the fax when it arrives in the pharmacy. Please treat these as you would any other fax. If you are sure that the source of the fax is the prescriber's office and it is a prescription issued legitimately, then please fill the prescription. As far as is known, it is impossible to fax one of these tamper-resistant forms without that warning appearing at the pharmacy end. Please use good judgment and take care of the patient as you have always tried to do.

## Health Care Professionals Needed for Disaster Response – Ohio Medical Reserve Corps

*This article was primarily written by Timothy R. Lanese, RPh, MBA, FASHP, FACHE.*

We do not know when the next disaster will occur, but when it does, Ohio Medical Reserve Corps (OMRC) volunteers *are ready to respond*. The landscape of emergency management has changed since the terrorist attacks of September 11, 2001, and Hurricane Katrina. In these large-scale emergencies, first responders and the health care system quickly became overwhelmed. As a result, it was realized that the only way to answer the needs of the community is to have an organized group of health care professional volunteers that can be quickly mobilized.

OMRC provides the structure for organized health care volunteers in the Buckeye State. Dr Forrest Smith, state epidemiologist and OMRC co-coordinator says "Ohio Medical Reserve Corps will help to ensure that if a medical crisis hits, our communities will be ready to respond and protect our citizens." Since OMRC's inception in 2003, the program has rapidly grown with more than 7,000 volunteers throughout the state. Volunteers are coordinated through local health jurisdictions or county emergency management agencies. OMRC operates in most of the state's counties including all major metropolitan areas. OMRC volunteers are willing to donate their time and expertise to prepare for and respond to emergencies and promote healthy living throughout the year. Pharmacists are specifically needed to assist in mass prophylaxis and vaccination programs should the need arise. Several communities have already developed point-of-dispensing (POD) programs with critical need for pharmacist input. Timothy Lanese is a member of several Cleveland-area teams and has been involved in the planning and activation of several POD drills. He feels this "has been a very valuable and rewarding experience. The other members of the team have varying degrees of medical experience and really value my contribution. It is amazing how many questions come up during these events that only a pharmacist can answer."

Liability protection is provided (Ohio Revised Code 121.404) for OMRC volunteers during local, state, or federally declared emergencies, disasters, drills, and trainings. The statute also protects a registered volunteer's personal information on the OMRC database from public disclosure.

Pharmacists are often reluctant to become involved due to a fear of liability for the dispensing process. The Ohio State Board of Pharmacy explains that, as in all cases, it is the pharmacist's duty to act in the best interests of patients being served. In a declared emergency, the pharmacist's knowledge and expertise can be critical to the proper

*Continued on page 4*





Continued from page 1

functioning of the disaster team. Pharmacists who focus on doing what is best for the patient at the time should not have any concerns about the Board looking over their shoulders.

OMRC provides the opportunity to help your community when it is needed the most. OMRC offers free trainings, hands-on drills and exercises, professional continuing education units, and networking with fellow health care professionals. The time commitment is minimal, but the reward is great. You can make a difference. Join OMRC.

### Make a Difference!

#### How to Join:

- ◆ Sign up at the Ohio Medical Reserve Corps Web site: [www.serveohio.org](http://www.serveohio.org)
- ◆ For more information you may also e-mail David O'Reilly at [david.oreilly@ocsc.state.oh.us](mailto:david.oreilly@ocsc.state.oh.us) or Paul Bender at [paul.bender@ocsc.state.oh.us](mailto:paul.bender@ocsc.state.oh.us)

### New Pharmacy Board Rules Effective

By the time this *Newsletter* arrives, the Board should have new rules that have become effective. The full text of these rules can be found on the Board's Web site. Click on "What's New" and you will find the full text of the rules, showing changes. A major change this year deals with the immunizations that pharmacists may administer to patients, including influenza vaccine to patients 14 years of age and older. In addition, properly trained and certified pharmacy interns are now able to administer influenza vaccine to patients 18 years of age and older under the direct supervision of a pharmacist. Senate Bill 58 passed both the House and the Senate, was signed by the governor, and became law on August 30, 2007. The process of finalizing the rules meant that the implementation of the law was delayed until the rules could go through the state's approval system. All of that is complete and the implementation of the law can now proceed.

Pharmacists may now administer influenza vaccine to patients 14 years of age or older. For patients 18 years of age or older, pharmacists may administer vaccines for pneumonia, tetanus, hepatitis A, hepatitis B, meningitis, diphtheria, and pertussis. In addition, pharmacists may have epinephrine or diphenhydramine available for administration in emergency situations.

As stated above, pharmacy interns may administer influenza vaccine to patients 18 years of age or older when they are directly supervised by a pharmacist who is able to administer immunizations.

One other change made in the law deals with the notification of the patient's physician or the local board of health. It is no longer

necessary to notify the physician or the board of health for influenza vaccines administered to patients 18 years of age or older. Even though notification is still required for the other injectables, this should cut down on the pharmacy's paperwork requirements tremendously.

Please note that pharmacists who were trained prior to the recent changes to the laws and rules must receive additional training before they may begin to administer the new immunizations or administer influenza vaccine to patients in the 14- through 17-year-old age group. The Board has been approving programs that incorporate the new injections and many of them have indicated that they will offer a somewhat shorter course for those who were previously certified to be sure they are knowledgeable about the approved new injections.

As usual, if you have any questions about this, please call the Board office and speak with one of the pharmacists in the office.

### Disciplinary Actions

Anyone with a question regarding the license status of a particular prescriber, nurse, pharmacist, pharmacy intern, or dangerous drug distributor in Ohio should contact the appropriate licensing board. The Web sites listed below may include disciplinary actions for their respective licensees.

**State Dental Board** – 614/466-2580, [www.dental.ohio.gov](http://www.dental.ohio.gov)

**State Medical Board** – 614/466-3934, [www.med.ohio.gov](http://www.med.ohio.gov)

**State Nursing Board** – 614/466-3947, [www.nursing.ohio.gov](http://www.nursing.ohio.gov)

**State Optometry Board** – 614/466-5115, [www.optometry.ohio.gov](http://www.optometry.ohio.gov)

**State Pharmacy Board** – 614/466-4143, [www.pharmacy.ohio.gov](http://www.pharmacy.ohio.gov)

**State Veterinary Medical Board** – 614/644-5281,

[www.ovmlb.ohio.gov](http://www.ovmlb.ohio.gov)

**Drug Enforcement Administration** – 1-800/230-6844,

[www.deadiversion.usdoj.gov](http://www.deadiversion.usdoj.gov)

Page 4 – November 2007

The *Ohio State Board of Pharmacy News* is published by the Ohio State Board of Pharmacy and the National Association of Boards of Pharmacy Foundation, Inc, to promote voluntary compliance of pharmacy and drug law. The opinions and views expressed in this publication do not necessarily reflect the official views, opinions, or policies of the Foundation or the Board unless expressly so stated.

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