



Legislative Background Brief

for the
Economic Affairs Interim Committee

August 2011

Board of Pharmacy

Prepared by Pat Murdo, Legislative Research Analyst

Board Members = 7 members

<p>Licensed Pharmacists = 4 Lee Ann Bradley, Missoula (7.1.2015) Michael Bertagnolli, Three Forks (7.1.2014) Rebecca Deschamps, Missoula (7.1.2014) Shirley Baumgartner, Glasgow (7.1.2016)</p>	<p>Registered Pharmacy Technician = 1 Rebekah Matovich, Columbus (7.1.2013)</p>
<p>Public Members = 2 Frances Carlson, Great Falls (7.1.2013) Susan Hagen, Columbia Falls (7.1.2012)</p>	

Number of Licensees, FY2011

Pharmacists 1,789	Community Pharmacy 253
Pharmacy Interns 323	Mail Order Pharmacy 315
Technicians in Training 201	Institutional Pharmacy 90
Registered Pharmacy Technician 1,078	Wholesale Drug Distributor 723
Dangerous Drug Researcher 8	Outpatient Surgical Center 12
	Class IV Facility 1

Revenues FY2008-FY2010 and Budgets for FY 2009-2013

	Revenues		Expenditures	
	Licensing	Other	Personal Services	Operating
FY 2009	\$912,422		\$615,945	
FY 2010	\$955,659	\$24,620	\$374,707	\$278,865
FY 2011	not available	not available		
FY 2012	not available	not available	\$391,265*	\$331,349*
FY 2013	not available	not available	\$391,690*	\$330,932*

*Projected

Expenditures, FY 2010	Direct	Indirect	
		Admin	Div. IT/Bureau
Personal Services, incl. per diem	\$334,785	\$15,728	\$24,194
Operating Expenses			

Consulting, Printing, IT, Other	\$29,365	\$8,405
Supplies, incl. Computer	\$18,605	\$4,642
Postage, mailing, IT network, voice srv	\$11,537	\$8,668
Travel for Board Members	\$25,784	na
Rent and other expenses*	\$29,119	\$48,324
Legal and hearings	\$91,416	--

*Includes leased vehicles, meeting rooms, computer & office equipment repair, dues, education & training, and fee collection expense for direct expenses & rent of \$13,056, DLI OIT expense of \$8,349, & indirect agency of \$26,919 for indirect expenses.

Number of Complaints

FY 10139

Disciplinary Action (may be from other years)

FY 10 24 (117 dismissed)

Scope of Practice

Licensed Pharmacists - A person licensed to engage in the "practice of pharmacy" as defined in 37-7-101(33): (a) interpreting, evaluating, and implementing prescriber orders, (b) administering drugs and devices under a collaborative practice agreement and compounding, labeling, dispensing, and distributing drugs and devices, including patient counseling, (c) procuring, storing, distributing, and disposing of drugs and devices, (d) monitoring drug therapy/use, initiating or modifying drug therapy under collaborative practice agreements, (f) participating in quality assurance/improvement activities, (g) providing information, and (h) participating in scientific or clinical research as an investigator.

Registered Pharmacy Technician - Must be authorized by pharmacist. May fill but not dispense prescriptions or counsel without a pharmacist being present, according to 24.174.411 ARM, except at discretion of the pharmacist. A technician may accept and process "hardcopy prescriptions" under 24.174.411. Allowable tasks include filling prescriptions, typing and affixing labels, recording prescription data, prepackaging unit doses, accepting verbal refill orders, and compounding if a pharmacist can verify the order, additives, dosages and, if appropriate, the clarity of IV solution, as provided under 24.174.705 ARM.

2011 Legislation that Became Law and Impacts Board or Profession

- HB 25, sponsored by Rep. Roberts at request of Economic Affairs Interim Committee, revises assistance program for impaired medical professionals.
- HB 83, sponsored by Rep. Berry at request of Department of Justice, requires the Board of Pharmacy to establish and maintain a prescription drug registry, to establish an advisory group for registry development and operation, and report on cost of registry and responsiveness of information requests.
- HB 94, sponsored by Rep. Arntzen at the request of the Department of Labor and Industry, generally revises reciprocity and other board functions.
- SB 189, sponsored by Sen. Keane, allows pharmacists to provide flu vaccine to those aged 12 years or older.
- SB 210, sponsored by Sen. Tutvedt, says efforts by a patient to obtain dangerous drugs under false pretenses is not doctor-patient privileged communication.

Summary of Responses from Survey as made through August 4, 2011:# of Responses from Board of Pharmacy licensees - 9

Comments summarized separately