

HB 257 : Steps for Creating an Auxiliary Program for Dispensing Prepackaged Contraceptives

The Board of Pharmacy must promulgate rules and regulations for the licensing and registration of auxiliaries.



The adult employee of the licensed pharmacy, or auxiliary, must find a licensed pharmacist to supervise the auxiliary to dispense prepackaged contraceptives.



The auxiliary and the supervising licensed pharmacist must prepare a written "utilization plan" detailing when and how the auxiliary may dispense prepackaged contraceptives.



The auxiliary may begin dispensing prepackaged contraceptives under the steps outlined in the written plan and subject to the rules and regulations of the Pharmacy Board.

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37-7-307. Utilization plan -- contents -- responsibility of pharmacist. (1) A utilization plan must set forth:

- (a) the name and qualifications of the supervising pharmacist or pharmacists;
 - (b) the nature and location of the supervising pharmacist's pharmacy practice;
 - (c) a summary of the tasks delegated by the pharmacist and the methods by which a supervising pharmacist may verify and document the tasks. "Verify" means the personal confirmation by a supervising pharmacist of the correctness of the tasks undertaken by the pharmacy technician.
 - (d) any other information the board considers relevant.
- (2) The board shall approve a utilization plan if it determines that the duties to be delegated are:
- (a) assigned, verified, and documented by the supervising pharmacist; and
 - (b) within the scope of the training and competence of the person to whom the authority is delegated.
- (3) A supervising pharmacist is responsible for the actions of a pharmacy technician or auxiliary who performs services for the pharmacist under the terms of a utilization plan.

History: En. Sec. 3, Ch. 219, L. 1991.

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37-7-308. Preparation and approval of utilization plan -- revocation of or refusal to renew plan -- contested case hearing. (1) A supervising pharmacist shall:

- (a) prepare the utilization plan and submit a summary of the plan to the board for approval;
- (b) keep on file in the pharmacy a copy of the utilization plan for inspection by the board; and
- (c) annually review the utilization plan and provide documentation to the board that the plan accurately reflects the current use of the services of a pharmacy technician or auxiliary.

(2) The board shall refuse to approve or shall revoke or fail to renew approval of a utilization plan if it does not conform to the provisions of [37-7-307](#) through [37-7-309](#) and rules adopted under those sections.

(3) One year after the board revokes approval of a utilization plan, the supervising pharmacist may reapply for approval by complying with the requirements of [37-7-307](#) through [37-7-309](#) and with rules adopted under those sections.

(4) Before refusing to approve or before revoking or failing to renew approval of a utilization plan, the board shall provide the supervising pharmacist a reasonable time in which to supply additional information demonstrating compliance with the requirements of [37-7-307](#) through [37-7-309](#) and with rules adopted under those sections and the opportunity to request a hearing.

(5) If a supervising pharmacist requests a hearing, the board shall conduct the hearing in accordance with the contested case procedures in Title 2, chapter 4, part 6.

History: En. Sec. 4, Ch. 219, L. 1991.

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