



SOUTH DAKOTA BOARD OF PHARMACY

April 2015

South Dakota State Board of Pharmacy

3701 West 49th Street - Suite 204, Sioux Falls, SD 57106

NEW REGISTERED PHARMACISTS

The following candidates recently met licensure requirements and were registered as pharmacists in South Dakota: Drew Klinkebiel, Justin Cunningham, Sybille Lupee, Shivani Patel, Sarah Williams, Ashley Kann, Michael Stanley, and Heather Yennie.

New pharmacy permits issued over the same time period are Jones Drug – Aberdeen (Change of Ownership); Dan's Drug Store – Sioux Falls; Regional Home Infusion – Rapid City; Genoa QoL Healthcare Company (Change of Ownership).

LEGISLATIVE NEWS – NALOXONE BILL

The ninetieth session of the South Dakota Legislature is in full swing. Senate Bill 41 would provide trained first responders to administer naloxone to anyone that is experiencing symptoms of an opiate overdose. Excerpts of the bill are:

FOR AN ACT ENTITLED, An Act to provide for the possession and administration of opioid antagonists by first responders for the treatment of drug overdoses.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. Any first responder trained in compliance with section 2 of this Act and acting under a standing order issued by a physician may possess and administer opioid antagonists to a person exhibiting symptoms of an opiate overdose.

Section 2. For the purposes of this Act, the term, opioid antagonist, means naloxone hydrochloride or any other similarly acting and equally safe drug approved by the federal Food and Drug Administration for the treatment of drug overdose.

Section 3. For the purposes of this Act, the term, first responder, includes:

- (1) A law enforcement officer as defined by subdivision 22-1-1(22);
- (2) A driver and attendant responding to an emergency call as part of an ambulance service licensed pursuant to chapter 34-11; and
- (3) Firefighter.

Section 4. Each first responder authorized to administer an opioid antagonist shall be trained. A full view of this bill can be located on the states website

at http://legis.sd.gov/Legislative_Session/Bills/Bill.aspx?File=SB14P.htm&Session=2015

The Governor has signed this bill into law.

ELECTRONIC PRESCRIBING OF CONTROLLED SUBSTANCES (EPCS)



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The board staff receives multiple calls and questions pertaining to EPSC. Of late, most of the concern is how a pharmacist is to know if a prescriber has gone through and been approved to conduct this activity. The board staff is certainly not the dispensing software experts for all the different platforms out there, but we have witnessed feedback mechanisms from the software provider providing the logic that can authenticate the process. Many excellent Q&A on this topic can be found on the DEA website, and I will include a few that cover this topic nicely. Note, the language does state that all pharmacies must have a copy of the report from application provider stating that your platform has been approved. Our advice would be to check with your administration, DM's or IT people to secure one of those reports. From the DEA site:

Q. When can a pharmacy start processing electronic prescriptions for controlled substances?

A. A pharmacy will be able to process electronic controlled substance prescriptions only when the application the pharmacy is using to process prescriptions complies with the requirements in the interim final rule.

Q. How will a pharmacy be able to determine that an application complies with DEA's rule?

A. The application provider must either hire a qualified third party to audit the application or have the application reviewed and certified by an approved certification body. The auditor or certification body will issue a report that states whether the application complies with DEA's requirements and whether there are any limitations on its use for controlled substance prescriptions. (A limited set of prescriptions require information that may need revision of the basic prescription standard before they can be reliably accommodated, such as hospital prescriptions issued to staff members with an identifying suffix.) The application provider must give a copy of the report to pharmacies that use or are considering use of the pharmacy application to allow them to determine whether the application is compliant with DEA's requirements.

Q. Until a pharmacy has received an audit/certification report from the pharmacy application provider indicating that the application meets DEA's requirements, how can the pharmacy application be used to process controlled substance prescriptions?

A. A pharmacy cannot process electronic prescriptions for controlled substances until its pharmacy application provider obtains a third party audit or certification review that determines that the application complies with DEA's requirements and the application provider gives the audit/certification report to the pharmacy. The pharmacy may continue to use its pharmacy application to store and process information from paper or oral controlled substances prescriptions it receives, but the paper records must be retained.

A full listing of the EPSC can be found

at http://www.deadiversion.usdoj.gov/ecom/e_rx/faq/pharmacies.htm

DEA FORM 106

The execution and submission of DEA Form 106 (loss or theft) continues to be on the fast track. Year over year, we are up about 25%. Reasons continue to be external and internal employee pilferage,



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accidentally disposed of a partial bottle, and the latest in “loss in transit”. The board continues to ask you to be diligent on the inspection of your CS meds upon receipt from the various couriers..

BOARD MEETING DATES

Please check our website for the time, location and agenda for future Board meetings.

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Board of Pharmacy Website

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