

PHARMACY EXAMINERS, BOARD OF[620] (cont'd)

**620—Chapter 5** is rescinded in its entirety and the following is inserted in lieu thereof:

CHAPTER 5  
LICENSURE BY RECIPROCITY

**620—5.1(147) Reciprocity fee.** The fee for reciprocal licensure is one hundred fifty dollars (\$150), which must accompany the application. The fee is returned if the application is denied.

**620—5.2(147) Necessary credentials.** The application, together with other necessary credentials, must be filed with the secretary of the Iowa Board of Pharmacy Examiners, Statehouse, Des Moines, Iowa.

**620—5.3(147) Fiscal licensure.** No additional collection of licensure fees shall be made for the balance of the biennial renewal period in which the applicant has been declared fully licensed by reciprocity by the board.

**620—5.4(147) Eligibility for reciprocity.** The applicant must be a licensed pharmacist by examination in some state of the United States with which Iowa has a reciprocal agreement and must be in good standing at the time of the application. Further, all applicants for reciprocity to this state who obtain their original licensure after January 1, 1980, must have passed the National Association of Boards of Pharmacy (NABP) Licensure Examination (NABPLEX) or its equivalent as determined by NABP. Reciprocal licensure will not be granted until after the application is approved by the secretary of the board and after the applicant has made a personal appearance before at least one (1) member of the board, showing proof of qualifications, and has passed an examination on the Iowa drug laws.

These rules are intended to implement Iowa Code section 147.94.

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**ARC 7382**

**PHARMACY EXAMINERS,  
BOARD OF[620]**

Pursuant to the authority of Iowa Code section 155.19, the Iowa Board of Pharmacy Examiners has adopted amendments to Chapter 6, "Minimum Standards for the Practice of Pharmacy," Iowa Administrative Code.

The adopted rules are identical to those published as Notice of Intended Action in the November 19, 1986, Iowa Administrative Bulletin as **ARC 7131**. The amendments were adopted during a regular meeting of the Iowa Board of Pharmacy Examiners on January 20, 1987.

The amendments to rule 6.1(155) clarify the meaning of the phrase "fill the prescriptions" in Iowa Code section 155.6 so that it incorporates the intent and meaning of Iowa Code section 147.107. The amendment to subrule 6.5(7) clarifies that subrule by prohibiting the leasing of drug distribution equipment.

These rules implement Iowa Code sections 147.55, 147.107, and 155.6.

These rules will become effective on April 1, 1987.

ITEM 1. Amend rule 620—6.1(155) to read as follows:

**620—6.1(155) Authorized person.** For the purpose of Iowa Code sections 155.6 and 147.107 of the Code, the phrase "fill the prescriptions" shall be deemed to include, but not necessarily be limited to, the following *judgmental functions*:

**6.1(1)** Read and interpret the prescription of a duly licensed medical practitioner, whether transmitted to the pharmacist by writing or orally.

**6.1(2)** Accurately measure, or compound, ingredients Ensure the accuracy of the ingredients when measured or compounded as specified by the medical practitioner.

**6.1(3)** Read and interpret, and write, adequate label directions Ensure adequate label directions as are necessary to assure the patient's understanding of the prescriber's intentions.

**6.1(4)** Affix label in, or to the container containing the medication, prescribed for the patient.

ITEM 2. Amend subrule 6.5(7) to read as follows:

**6.5(7)** It is unethical for a pharmacist to enter into any agreement with long-term care or acute care facilities which agreement calls for the pharmacist to purchase or lease drug distribution equipment, or any other equipment, for the exclusive use of the facility. It shall also be unethical for a pharmacy to enter into agreements with long-term care facilities which negate a patient's freedom of choice of pharmacy services.

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**PHARMACY EXAMINERS,  
BOARD OF[620]**

Pursuant to the authority of Iowa Code section 204.301, the Iowa Board of Pharmacy Examiners adopts amendments to Chapter 8, "Controlled Substances," and rescinds Chapter 12, "Medicinal Uses of Marijuana," Iowa Administrative Code.

The adopted rules are identical to those published as Notice of Intended Action in the November 19, 1986, Iowa Administrative Bulletin as **ARC 7132** except for editorial changes. The amendments were adopted during a regular meeting of the Iowa Board of Pharmacy Examiners on January 20, 1987.

The amendment to subrule 8.13(9) identifies that prescriptions for schedule V controlled substances are limited to five refills or six months, whichever comes first.

The amendment to rule 8.15(204) adds a requirement for a delivery date on the record form of complimentary packages left with a registrant.

The amendment to rule 8.19(204) adds the product Vicks Inhaler to the list of excluded substances.

The amendment rescinding Chapter 12 is necessary because of changes in Iowa Code chapter 204 as amended by 1986 Iowa Acts, chapter 1037. This change eliminates the need for investigational programs on the medical use of marijuana.

**PHARMACY EXAMINERS, BOARD OF[620] (cont'd)**

These rules are intended to implement Iowa Code section 204.308 and will become effective on April 1, 1987.

ITEM 1. Amend subrule 8.13(9) to read as follows:

**8.13(9) Refilling of prescriptions.** No prescription for a controlled substance listed in schedule III, ~~or~~ IV ~~or~~ V shall be filled or refilled more than six (6) months after the date on which such prescription was issued ~~and no such prescription authorized to be refilled may nor~~ be refilled more than five (5) times. Each refilling of a prescription shall be entered on the back of the prescription or on another appropriate uniformly maintained readily retrievable record, such as medication records, which indicate the date, quantity, and name of dispensing pharmacist for each prescription initialed, and dated by the pharmacist as of the date of dispensing, and shall state the amount dispensed. If the pharmacist merely initials and dates the back of the prescription, ~~the pharmacist he~~ shall be deemed to have dispensed a refill for the full face amount of the prescription. Additional quantities of controlled substances listed in schedule III, ~~or~~ IV ~~or~~ V may only be authorized by a prescribing practitioner through issuance of a new ~~and separate~~ prescription. ~~as provided herein which shall be a new and separate prescription.~~

ITEM 2. Amend rule 620—8.15(204) to read as follows:

**620—8.15(204) Records form—complimentary packages.** The records form for the distribution of complimentary packages of controlled substances shall contain the name, address, registration number of the supplier and practitioner; the name and quantity of the specific controlled substances delivered; ~~and the date of that delivery.~~

ITEM 3. Amend rule 620—8.19(204) by adding the following substance in alphabetical sequence:

Trade name: Vicks Inhaler  
 Dosage form: Inhaler  
 Composition: 1-desoxyephedrine  
 Potency: 113.00 mg.  
 Manufacturer or distributor: Vick Chemical Co.

ITEM 4. Rescind 620—Chapter 12 in its entirety.

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requested. It also establishes that a voluntary surrender of a license to practice pharmacy will be considered a revocation with respect to a request for reinstatement.

These rules are intended to implement Iowa Code section 155.13 and will become effective on April 1, 1987.

Amend 620—Chapter 9 by adding the following new rules:

**620—9.3(155) License reinstatement.** Any person whose license to practice pharmacy has been revoked must meet the following eligibility requirements:

1. Must have satisfied all the terms of the order of revocation or court proceedings as they apply to that revocation.

2. Must successfully pass NABPLEX or an equivalent examination as determined by NABP, the Federal Drug Law Examination (FDLE), and the Iowa Drug Law Examination.

3. All proceedings for reinstatement shall be initiated by the respondent who shall file with the board an application for reinstatement of the license which shall be docketed in the original case in which the license was revoked. All proceedings upon petition for reinstatement, including preliminary and ancillary matters, shall be subject to the same rules of procedure as other cases before the board.

4. An application for reinstatement shall allege facts which, if established, will be sufficient to enable the board to determine that the basis for the revocation no longer exists and that it will be in the public interest for the license to be reinstated. The burden of proof to establish such facts shall be on the respondent.

5. An order for reinstatement shall be based upon a decision which incorporates findings of facts and conclusions of law, and must be based upon the affirmative vote of a quorum of the board. This order shall be available to the public as provided in subrule 9.1(9).

**620—9.4(155) Voluntary surrender of a license.** A license to practice pharmacy which has been voluntarily surrendered shall be considered a revocation of license with respect to a request for reinstatement which will be handled under the terms established by rule 9.3(155).

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**PHARMACY EXAMINERS,  
 BOARD OF[620]**

Pursuant to the authority of Iowa Code section 155.19, the Iowa Board of Pharmacy Examiners adopts an amendment to Chapter 9, "Purpose and Organization," Iowa Administrative Code.

The adopted rule is identical to that published as Notice of Intended Action in the November 19, 1986, Iowa Administrative Bulletin as **ARC 7133** except for editorial changes. The amendment was adopted during a regular meeting of the Iowa Board of Pharmacy Examiners on January 20, 1987.

The amendment establishes the procedures to be followed when reinstatement of a revoked license is

**ARC 7396**

**PUBLIC HEALTH  
 DEPARTMENT[470]**

Pursuant to the authority of Iowa Code sections 135.11(15) as amended by 1986 Iowa Acts, chapter 1245, section 1104, and 135C.14, the Iowa Department of Public Health hereby amends Chapter 58, "Intermediate Care Facilities," Chapter 59, "Skilled Nursing Facilities," and Chapter 64, "Intermediate Care Facilities for the Mentally Retarded," Iowa Administrative Code.

The rules were published as a Notice of Intended Action, **ARC 7055**, on October 22, 1986. The rules were adopted by the Board of Health on January 14, 1987.