



# Chapter 1: Overview of Arizona Pharmacy Law (Mandatory)

**2 Contact Hours**

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## Learning objectives

- Describe the members of the Arizona Board of Pharmacy, including how many there are, their qualifications, and how they become eligible for board appointment.
- List the responsibilities of the Arizona Board of Pharmacy.
- Describe pharmacy setup and security requirements.
- List the types of prescribers who may prescribe medications in the state of Arizona and any restrictions on their prescribing authority.
- Discuss requirements for filling prescriptions in Arizona, including requirements for filling prescriptions written by foreign prescribers.
- Explain generic substitution requirements in Arizona and when it is appropriate to dispense a generic medication.
- Describe the valid time frame for dispensing refills of medications in Arizona, including refills and time frame restrictions on controlled substances.
- Discuss the regulations on the dispensing of controlled substances without a prescription, including quantity limits and record keeping.
- Describe the requirements for the sale of pseudoephedrine, including quantity limits and record keeping.
- Explain patient counseling requirements and who can counsel a patient.
- Describe prescription transfer regulations and what information must be recorded during a prescription transfer.
- Explain the pharmacy record keeping requirements under Arizona law.
- Describe the licensing requirements for pharmacies and the types of permits that may be issued by the Arizona Board of Pharmacy, as well as renewal requirements.
- Discuss the licensing and continuing education requirements for pharmacists.
- Discuss the responsibilities of pharmacy interns and their licensing requirements.
- Differentiate between a student pharmacy intern and a graduate pharmacy intern and the specific licensing requirements for each.
- Describe the difference between the licensing requirements for a pharmacy technician trainee and a pharmacy technician.
- Discuss the responsibilities of pharmacy technicians and their licensing and continuing education requirements.
- Describe regulations on immunization by pharmacists, including the certification process and who can be immunized.
- List the vaccines that require a prescription to be administered to an adult patient.

## Introduction

State laws and regulations governing pharmacy practice are extremely important in the day-to-day work of a pharmacy associate. From the license needed to work in the pharmacy to the floor space necessary for each employee, laws and regulations govern every aspect of daily pharmacy operation. As a pharmacy employee, it is imperative to maintain a working knowledge of state pharmacy laws, and continue to learn about new laws that have been passed as well.

All states have variations in their state pharmacy laws that distinguish them from other states. While state laws in Arizona are similar to others, there are significant differences that must also be reviewed.

This course is designed to be an overview of the pertinent state pharmacy laws in Arizona for the pharmacist and pharmacy technician.

Information included in this course was current as of the time of writing. Remember that laws may change, and be sure to consult the Arizona State Law Book for a thorough explanation of each law. This course is an overview of the pertinent Arizona state laws, and may not be all-inclusive – see the law book for full details.

## Arizona State Board of Pharmacy

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The Arizona State Board of Pharmacy is the governing body for pharmacy affairs in the state of Arizona, and is also responsible for issuing licenses to pharmacists, interns, technicians, pharmacies, drug wholesalers, and drug manufacturers.

The board consists of nine members: six pharmacists, one pharmacy technician, and two members of the public. The pharmacists who are members of the Board of Pharmacy must have at least 10 years of experience before they are eligible for appointment, and at least five years of experience as a licensed pharmacist in Arizona. Pharmacist members must have been a resident of Arizona for the five years preceding appointment.

There must be at least one actively practicing community pharmacist, and at least one pharmacist actively working at a licensed hospital. Pharmacists can serve five-year terms on the Board of Pharmacy.

The pharmacy technician member of the Board of Pharmacy must have at least five years of experience actively working in a pharmacy, and must have been a resident of Arizona for the five-year period preceding appointment. Pharmacy technicians may serve a five-year term on the board. The two public members also are required to have residency status in Arizona for the five years preceding their appointment, and may serve a five-year term unless they are removed by the governor. All members of the Arizona Board of Pharmacy are appointed by the governor.

The board must annually select a president and vice president from among its membership and select an executive director who may or may not be a member of the board. The executive director shall serve at the pleasure of the board. The president shall preside over all board meetings; the vice-president may act in place of the president if the president is absent. A majority of the membership of the board constitutes a quorum. The Board of Pharmacy must hold at least four meetings per year and provide an annual report to the governor

### Pharmacy setup and security

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Pharmacies in Arizona must have a dispensing, compounding, and drug stocking area that is at least 300 feet.<sup>2</sup> If the minimum pharmacy size is used, no more than three personnel may work at the same time. Each additional staff member requires an additional 60 feet<sup>2</sup> of floor space. This is to allow pharmacists adequate space to monitor the activities of pharmacy personnel and ensure efficient workflow.

Each employee working at the same time should have at least 3 feet<sup>2</sup> of counter space, and it must be at least 16 inches deep and 24 inches long to be sure all of them have space to spread out their work to minimize error potential.

Counter space should be contained by a barrier at least 66 inches tall to prevent unauthorized persons from seeing the pharmacy counter, potentially violating a patient's privacy. The floor space along the dispensing and compounding counter must be at least 36 inches wide.

New pharmacies must have a separate patient counseling area to allow patients privacy during consultation.

### Who can prescribe medications in Arizona?<sup>1,3</sup>

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In the state of Arizona, many different types of practitioners can prescribe medications to patients. Some of these prescribers have limits to their prescription authority, such as treatment limited to certain body parts or limits to the prescription of controlled substances.

and to the Arizona pharmacy association, including the names of all pharmacists, interns, pharmacy technicians, pharmacy trainees, pharmacies, wholesalers, and manufacturers authorized to practice under this chapter and a record of licenses, permits and renewals.

The executive director is in charge of the board's office and shall administer this chapter under the direction of the board. The executive director shall make, keep and be in charge of all records and record books required to be kept by the board, including a register of all licensees and registered businesses under this chapter.

The Board of Pharmacy is responsible for developing and maintaining laws and rules to protect the health and safety of the public on any issues related to the practice of pharmacy, the manufacturing, wholesaling or supplying of drugs, devices, poisons or hazardous substances, the use of pharmacy technicians and support personnel and the lawful performance of its duties.

To properly enforce pharmacy rules and laws, the Board of Pharmacy or its agents have free access at all reasonable hours to any pharmacy, manufacturer, wholesaler, nonprescription drug permittee or other establishment in which drugs, devices, poisons, or hazardous substances are manufactured, processed, packed, or held, or enter any vehicle being used to transport or hold such drugs, devices, poisons or hazardous substances. Compliance inspections can be conducted to determine if any violations have occurred and may also secure samples or specimens of any drug, device, poison or hazardous substance after paying or offering to pay for such sample, or they may detain or embargo a drug, device, poison, or hazardous substance in accordance with section 32-1994.

The Board of Pharmacy is also responsible for providing notice at least once every three months of any changes to prescribing authority of any prescriber licensed to practice in Arizona.

**NOTE:** *Pharmacy size regulations must be addressed and discussed with the Board of Pharmacy when applying for a permit to operate a pharmacy.*

Controlled substances can be kept in a separate safe or locked cabinet or distributed throughout the stock of prescription medications; it is up to the pharmacy to decide what best suits its needs to maximize efficiency and minimize theft.

The pharmacy must be surrounded from floor to ceiling by a permanent barrier with secure entry points. It should be designed in a way that the pharmacist is the only person who can gain entry to the restricted area where prescription medications and controlled substances are stored, and only a pharmacist with a key is permitted to enter the storage area, except in an extreme emergency.

All prescription medications and medical devices must be stored in a clean, organized space that is well lit, well ventilated, dry, and maintains adequate temperatures for medication storage. A separate drug storage area outside of the pharmacy may be used if necessary, but it must be enclosed from floor to ceiling by a secure barrier that only the pharmacist can access with a key.

It is very important to be aware of the various types of prescribers and their authority limits to ensure prescriptions are filled within the limits of the law.

Type of prescriber	Prescription authority
Medical doctor	Independent prescribing authority, not limited by the scope of practice. Can prescribe Schedule III-IV but no more than five times within 6 months and can prescribe Schedule V, not to exceed one year.
Doctor of osteopathy	Independent prescribing authority, not limited by scope of practice. Can prescribe Schedule III-IV but no more than five times within 6 months and can prescribe Schedule V, not to exceed one year.
Dentist	Independent prescribing authority limited to scope of practice – prescribing authority is limited to treatment of mouth, teeth and gums.
Podiatrist	Prescribing authority is limited to their scope of practice which is treatment of lower extremities, primarily feet and ankles. Can prescribe non-controlled medications with board approval as well as controlled substances, again, with board approval. Can also prescribe Schedule III-IV, not to exceed more than 5 times, in a 6 month period and Schedule V drugs can be prescribed, not to exceed one year.
Veterinarian	Independent prescribing authority limited to scope of practice – prescribing authority is limited to treatment of animals.
Physician assistant	Can prescribe non-controlled medications without limits. Controlled substances can only be prescribed with board approval. Schedule IV-V drugs may be prescribed but no more than five times within a six month period. Schedule III drugs can be prescribed, only with a supervising physician's written consent.
Registered nurse practitioner	Can prescribe non-controlled and controlled medications with board approval, independent prescribing authority.
EMT/paramedic	Does not have any prescribing authority.
Chiropractor	Does not have any prescribing authority.
Naturopathic doctor	May prescribe non-controlled medication and any Schedule III, IV or V medications. May not prescribe any intravenous medications, cancer chemotherapeutics or antipsychotics. The only Schedule II drug they can prescribe is morphine.
Optometrist	May prescribe drugs, non-controlled drugs with board approval and the only controlled substances they can prescribe is Schedule III analgesics. Must be TPA certified and approved by their State Board.
Pharmacist	Can start, alter, or discontinue medication therapy under a collaborative agreement with a supervising physician. May also administer most immunizations without a prescription after earning certification.

## Prescription requirements in Arizona

Prescriptions filled in the state of Arizona must comply with several regulations put in place by the Board of Pharmacy. Different regulations apply to the various methods of transmitting prescriptions to pharmacies, as well as the components of prescriptions. All prescriptions must be dispensed under the direct supervision of a pharmacist licensed by the Arizona Board of Pharmacy. Prescriptions filled by a pharmacy in Arizona must meet the following requirements:

- Prescriptions must be written by a prescriber with prescribing authority in Arizona as noted in the chart in the previous section. Prescriptions written outside of the limitations of the prescriber's authority are not considered to be valid.
- An electronically transmitted prescription order, containing the prescribing medical practitioner's electronic or digital signature is acceptable, but must be promptly transcribed in writing and filed by the pharmacist.
- Written prescription orders with the practitioner's electronic or manual signature is acceptable. A prescription order that contains only an electronic signature must be applied to paper that uses security features that will ensure the order is not subject to any form of copying or alteration.
- For an oral prescription order, the medical practitioner's name and telephone number must be on the prescription along with the name and initials of the dispensing pharmacist.
- For a faxed prescription order, a medical practitioner or their agent may transmit a prescription order for a Schedule III, IV, or V controlled substances, prescription-only drug, or nonprescription drug to a pharmacy by facsimile (fax) under the following conditions:
  - The prescription is faxed only to the pharmacy of the patient's choice.
  - The fax prescription order contains all the information required.
- The patient may send prescription orders via fax or email if the original prescription hard copy is presented to the pharmacy

upon pickup of the medication, and has the prescriber's manual signature.

All prescriptions filled in Arizona must have a paper version that must be filed and kept in a readily retrievable location for at least seven years.

Effective as of July 22, 2014, a pharmacist, or an intern under a pharmacist's supervision, may fill a new written prescription order for a drug or device from a foreign country, as long as it was issued by a medical practitioner, who is licensed by the appropriate licensing board of the foreign country. The pharmacist, manager, or proprietor must keep a separate record of these prescriptions, and keep them for seven years, also. Controlled substances may not be filled even if it is approved by medical practitioner; prescriptions of controlled substances from any foreign country are prohibited.

All prescriptions foreign or U.S., should be completed by the prescriber with the patient's name, the name and strength of the medication ordered, quantity to dispense, directions for use, number of available refills, date the prescription was written, and the signature of the doctor. Controlled substance prescriptions also should have the DEA number of the prescriber noted on the face of the prescription and the prescribers address.

A pharmacist shall ensure that the following information is recorded on the back of a prescription order when it is refilled: the date refilled, the quantity dispensed, and the name or approved abbreviation of the manufacturer or distributor if the prescription order is written generically or a substitution is made, and the name or initials of the dispensing pharmacist.

Adulteration of prescription medications dispensed in Arizona is prohibited. This includes manufacturing prescription products where the products may consist of any filthy, putrid, or decomposed matter. This includes manufacturing prescription products under unsanitary conditions where contamination is likely, dispensing products that contain dangerous colorants or toxic additives that are not part of

the original drug product, or altering the purity of the original drug product, resulting in a weaker drug product. This is a severe violation of the law that can result in suspension or removal of a pharmacist's license.

Misbranding of prescription products is also prohibited by federal and state law. Knowingly misrepresenting the labeling of a prescription drug product resulting in inaccurate statements of quantity or quality

is a violation of the law. To avoid misbranding, prescriptions must contain appropriate directions for use and warnings to protect the health and safety of the patient. An example of misbranding is when a prescriber asks the pharmacist to dispense a placebo pill in the container of a prescription medication. This is a violation of the law and can result in severe disciplinary action including suspension or removal of a pharmacist's license.

## Generic substitution and DAW

Prescriptions filled in Arizona should be dispensed, as they are written, if the prescriber writes on the prescription any variation of the terms "DAW" (dispense as written), or do not "substitute", or "medically necessary." If these terms are not present on the face of the prescription, a generic product may be substituted for the brand name prescribed.

The generic product substituted for the brand name written on the prescription must be FDA-approved and listed as a bioequivalent to the brand name product in the Orange Book. If a generic product is

substituted for a brand name product, the price for both the brand name and generic product must be given to the patient if the prescription is not billed to an insurance plan.

A generic product may not be substituted for a brand name product if the manufacturer does not print an expiration date on the product's packaging, or if the manufacturer does not have a program for the recall of unsafe or flawed products. The patient may choose to have the brand name dispensed if the prescriber did not specify that the brand name is "medically necessary."

## Refills and valid time frame for filling prescriptions

All prescriptions filled in Arizona have a valid time frame in which the original prescription and available refills may be filled, depending on the type of medication ordered. Prescriptions filled in Arizona for non-controlled substances are valid for one year from the written date, and may only be refilled within this time frame.

Prescriptions for schedule III-V controlled substances are valid for six months from the written date, and may be refilled up to five times. Schedule II prescriptions are valid for 90 days from the written date and may not be refilled.

## Dispensing controlled substances without prescription

In the state of Arizona, certain controlled substances can be dispensed without a prescription under specific conditions. Patients who are at least 18 years old can purchase certain controlled substances from a pharmacist if all of the following criteria are met:

- It must be requested for legitimate medical treatment.
- No more than 240 cubic centimeters or 48 dosage units of any controlled substances containing opium, or 120 cubic centimeters or 24 dosage units of any other controlled substances may be dispensed to the same person within 48 hours.
- No more than 120 dosage units of any product that contains only ephedrine may be dispensed within 30 days.
- Any patient who is not known to the pharmacist must provide identification and proof of age.
- A record book must be used to collect information about the person purchasing the controlled substance, including name and address of the person purchasing the product, the quantity and name of the product purchased, the date the purchase was made, and the name or initials of the pharmacist overseeing the sale.
- The bottle must be labeled with the pharmacy's name and address, date product was dispensed, serial number, prescriber's name, patient's name, directions for using the product, and any warning statements necessary. If a controlled substance, it must also include the federally required warning: "Caution: federal law prohibits the transfer of this drug to any person other than the patient for whom it was prescribed."

Pseudoephedrine is regulated in Arizona because it is a common product used in the manufacture of methamphetamine. Regulations have been put in place to deter people from purchasing large amounts

of pseudoephedrine for methamphetamine production to decrease the production of this drug in Arizona.

In most instances, Arizona state regulations on pseudoephedrine sales are less restrictive than federal laws, so federal laws must be followed in Arizona. These regulations include:<sup>5</sup>

- All sales must be recorded in a logbook.
  - The logbook may be electronic or on paper.
  - It must be readily retrievable and maintained for at least two years.
  - It must record the name and address of the person purchasing pseudoephedrine, the date and time the sale was made, the name and quantity of the product purchased, and include the signature of the purchaser.
- A state-issued photo identification card, driver's license, or passport must be presented at time of purchase.
- All products containing pseudoephedrine must be kept behind the counter or in a locked cabinet, and can only be sold under the supervision of a licensed pharmacist.
- There are strict limits to how much pseudoephedrine can be purchased at once. No more than 9 grams of pseudoephedrine may be purchased by a single person within a 30-day period, and no more than 3.6 grams may be purchased per person per day. This is to decrease the availability of pseudoephedrine and limit its use in the production of methamphetamine.
  - Mail order or Internet retailers are limited to shipping no more than 7.5 grams of pseudoephedrine within a 30-day period.
  - These rules do not apply to prescriptions written for pseudoephedrine – only for over-the-counter sales without a prescription.

## Patient counseling

Patient counseling must occur on all new prescriptions dispensed to the patient. Counseling must be conducted by a licensed pharmacist or intern under the direct supervision of a licensed pharmacist, and should include an overview of the medication, including its brand and generic names, directions for use, contraindications as appropriate, and

adverse effects. The patient or his or her representative should be given time to ask questions and receive appropriate answers. Counseling is not required on refills unless there is a change in directions or dosage.



## Transferring prescriptions

Regulations for transferring prescriptions between pharmacies are enforced by the Board of Pharmacy.

Prescriptions may be transferred between pharmacies within the state of Arizona. The transfer of original prescription order information for a non-controlled substance drug must be communicated between two licensed pharmacists, or a licensed pharmacist and a licensed pharmacy or graduate intern, or between two licensed pharmacy, or graduate interns.

When a prescription is transferred out of a pharmacy, it must be invalidated by the transferring pharmacy by writing VOID on the face of the original prescription hard copy, or if electronically transferred, ensuring it is invalidated in the pharmacy's dispensing computer system to avoid duplicate copies of prescriptions.

The following information needs to be recorded by the transferring pharmacy professional:

1. The name and ID code, number, or address and telephone number of the pharmacy to which the prescription is transferred.
2. The name of the receiving pharmacist or pharmacy or graduate intern.
3. The date of transfer.
4. The name of the transferring pharmacist or pharmacy or graduate intern is written on the back of the prescription or entered into the transferring pharmacy's computer system.

The following information is recorded by the receiving pharmacist or pharmacy or graduate intern on the transferred prescription order:

1. The word "transfer."
2. Date of issuance of the original prescription order.
3. Original number of refills authorized on the original prescription order.

4. Date of original dispensing.
5. Number of valid refills remaining and the date of the last refill.
6. Name and identification code, number, or address, telephone number, and original prescription number of the pharmacy from which the prescription is transferred.
7. Name of the transferring pharmacist or pharmacy or graduate intern.
8. Name of the receiving pharmacist or pharmacy or graduate intern.

Prescriptions for Schedule III, IV, or V- a controlled substance may only be transferred (communicated) between two licensed pharmacists, and may only be transferred one time, regardless of the number of refills remaining.

The word "void" is written on the face of the invalidated original prescription order unless it is an electronic or oral transfer and the transferred prescription order information is invalidated in the transferring pharmacy's computer system. The name, address, and DEA number of the pharmacy to which the prescription is transferred, the name of the receiving pharmacist, the date of transfer, and the name of the transferring pharmacist is written on the back of the prescription order or entered into the transferring pharmacy's computer system.

For the receiving pharmacist, the same information is recorded as with the non-controlled substances discussed previously and both pharmacists must record the DEA number of the other pharmacy on the transfer order.

Prescriptions may be transferred into Arizona from out of state if they meet all of the above requirements for prescription. More on this can be found on the state board website under laws and statutes, <https://pharmacy.az.gov/resources/rules-statutes>.

## Record keeping requirements

All records must be kept in a readily accessible area for seven years. This includes prescription hard copies, daily sales records, immunization records, prescription transfer records, logbooks for

pseudoephedrine and controlled substance sales, and any records required to be kept by federal or state laws.

## Pharmacy licensure

All pharmacies, drug wholesalers, drug storage facilities, and drug manufacturers in Arizona must be licensed with the Board of Pharmacy, and these licenses must be renewed every other year. Pharmacies not located in Arizona that deliver medications to patients in Arizona must also be registered with the state Board of Pharmacy in Arizona.

Application for a permit to operate a pharmacy, drug wholesaler, drug storage facility, or drug manufacturing plant must include the following:

- The name of the person responsible for the operation of the facility, including any licensed pharmacists responsible for its operation.
- The location of the facility to be licensed, including physical street address.
- A description of the activities to be performed at the facility.

If a company with several facilities is seeking licensure, a separate application must be completed for each location desiring licensure.

There are several types of permits that may be issued by the Board of Pharmacy. These include:

- A permit to sell non-prescription medications in the original package. Businesses that hold this permit are not required to sell their products at one fixed location.
- A pharmacy permit can be issued and is necessary to operate a full service pharmacy.

- Limited service pharmacy permits may be issued to pharmacies that are only practicing a limited portion of pharmacy practice, such as a closed-door pharmacy that only offers patient counseling and does not dispense medications.
- Full service wholesale drug permits may be issued to wholesalers that stock prescription and nonprescription medications.
- Nonprescription drug wholesale permits can be issued to wholesalers that only want to stock nonprescription medications.
- Drug manufacturer permits may be issued to facilities involved in the creation of prescription and nonprescription drug products.
- A drug packager or pre-packager permit may be issued to a person or business registered with the Food and Drug Administration (FDA) and authorized by the FDA to change the original manufacturer's packaging of a drug product to re-sell the repackaged product to a business that is authorized to sell repackaged medications.
- A compressed medical gas distributor or supplier permit can be issued to facilities interested in selling or distributing compressed medical gasses, such as oxygen.

Permits can be revoked if it is discovered that a medical provider is receiving compensation from a pharmacy for prescribing certain products. If a permit-holder's business is closing or otherwise ceasing to operate, the permit should be surrendered immediately, the Board of Pharmacy must be notified, and all drug products and signage should be removed or destroyed.

## Fingerprint requirements<sup>2</sup>

Effective as of 2014, each applicant applying for licensure shall submit to the Board a full set of fingerprints for the purpose of obtaining a state and federal criminal records check. The Department of Public Safety may exchange this fingerprint data with the Federal Bureau of Investigation (FBI). This is required for Pharmacy Technician Trainees, Pharmacy Technicians (PTCB Certified), Pharmacy Interns (student, graduate, foreign) Pharmacists (full-exam, score transfer, reciprocity).

NO licenses will be issued until all required documents are received and the results of the fingerprints are returned to the Board from DPS & reviewed. The fingerprinting requirement will extend the issuing of your license by at least 30 days. Once the application is received;

the applicant will receive a checklist noting any missing application documents that may be required; along with the fingerprinting card and the instructions on the process.

There is NO exception to this requirement. Fingerprint clearance cards issued by DPS will NOT be accepted in lieu of submitting prints. In addition, prints taken for another Board (i.e. nursing) CANNOT be used in place. Each Board is required to have their own set of prints submitted. Technician trainees who still have an active license; but have applied to convert over to a technician license; may continue to work on their trainee license until the technician license is approved and the status says "open".

## Pharmacist licensure and continuing education requirements for pharmacists

Pharmacists can obtain their licenses from the Arizona Board of Pharmacy. To be eligible for a pharmacist license, applicants must graduate from an accredited school of pharmacy recognized by the board, successfully complete a practical experience program supervised by a licensed pharmacist, pass the pharmacist licensure exam and state jurisprudence exam, pay a pharmacist application fee to the Board of Pharmacy, and be of good moral character.

All pharmacists must renew their licenses every other year, and all pharmacist licenses expire on October 31. To be eligible for renewal, pharmacists must complete three continuing education units or CEUs (30 hours) every two years, with at least 0.3 CEUs (three hours) on the topic of pharmacy law. Proof of continuing education completion should be retained for five years, and credits may not be carried over to the next renewal period.

Failure to renew a pharmacist license by October 31 of a renewal year may result in additional fees. Pharmacists who have not been practicing pharmacy for more than one year must complete a board-

approved training program of 400 hours before they are eligible to resume practice as a pharmacist.

Pharmacists who serve as the pharmacist-in-charge at a pharmacy must report this position to the Board of Pharmacy. The pharmacist in charge is considered the responsible manager of the pharmacy. If this position is terminated, the pharmacist must report this change to the Board of Pharmacy as well.

Pharmacists who wish to serve as preceptors to pharmacy interns must register for a preceptor license with the Board of Pharmacy. These pharmacists are responsible for practical instruction of the intern, and are to act as a teacher and mentor to the student. Preceptors are also able to verify intern hours worked by the pharmacy intern. To be eligible for a preceptor license, the applicant must be a licensed pharmacist with an unrestricted license and must have at least one year of experience actively working as a licensed pharmacist. Pharmacists with preceptor licenses working in a community setting may only be a preceptor to two pharmacy interns per calendar quarter.

## Pharmacy intern responsibilities

Pharmacy interns can work in a pharmacy under a licensed pharmacist once they become registered and licensed with the Board of Pharmacy. To be eligible for an intern license, applicants must be enrolled in an accredited school of pharmacy recognized by the Board of Pharmacy. Graduate intern licenses may be issued to applicants who have graduated from a school of pharmacy approved by the board.

A total of 1,500 intern hours must be recorded with the Board of Pharmacy before an intern is eligible for licensure as a pharmacist. No more than 500 hours may be recorded per quarter (three months). Pharmacy interns can only register hours worked if working under a preceptor, a licensed pharmacist registered with the Board of Pharmacy with a preceptor license.

Intern hours may be registered after the beginning of the first year of professional pharmacy education, and after the pharmacy intern receives a Board of Pharmacy-issued intern license. Intern licenses are issued for five years, and may be issued for an additional year with board approval. Intern licenses are not eligible for renewal as the intern license is used for students studying to become pharmacists. Student who do not complete their education within six years must explain to the Board of Pharmacy that they intend to continue working

toward completing their education and becoming a pharmacist for a renewal to be issued.

The pharmacy intern may perform the following tasks under the immediate supervision of a licensed pharmacist:

- Dispense and sell medications, medical devices, and poisons to patients.
- Compound medications.
- Perform duties of a pharmacist, as long as a licensed pharmacist directly supervises them.

Pharmacy interns are to be trained in the practice of pharmacy during their intern hours worked. This includes:

- The manufacture and sale of medications and medical devices.
- Dispensing and compounding medications.
- Clinical pharmacology.
- Providing information on medications to patients and health care providers.
- Record keeping and completing federal and state-mandated reports.
- Maintaining compliance with the law.

## Pharmacy technician responsibilities

Pharmacy technicians, pharmacy technician trainees, and certified pharmacy technicians must be registered and licensed with the Board of Pharmacy to work in a pharmacy, and the license must be renewed every other year.

Before beginning work in a pharmacy, pharmacy technicians and trainees must sign and date a statement showing they have reviewed the Board

of Pharmacy regulations for pharmacy technicians, the job description for their position in the pharmacy, and the pharmacy's handbook of policies applicable to pharmacy technicians. These policies should include information on employer expectations for pharmacy technicians, activities that technicians may perform, how to report and avoid medication errors, how to maintain confidentiality of patient information, security

procedures, federal and state regulations, dispensing procedures, and maintaining the pharmacy inventory and storage.

People interested in working as a pharmacy technician must be 18 or older, possess a high school diploma or GED certificate, and be of decent moral character. For interested persons to be eligible to apply for a pharmacy technician license, the person must complete a training program for pharmacy technicians that meets state-specific standards, and take the Pharmacy Technician Certification Board exam (PTCB exam) and pass with a satisfactory score. Pharmacy technicians in training must apply for a pharmacy technician trainee license to complete their training in a pharmacy. Pharmacy technicians in training (Pharmacy Technician Trainees) must apply for a pharmacy technician trainee license to complete their training in a pharmacy. Pharmacy technicians in training are required to provide a copy of their U.S. birth certificate and High School Diploma. The difference between a trainee and a technician is the pharmacy technician has completed both a training program, and passed the PTCB exam with a passing score, acquiring a wall card.

After completing a pharmacy technician training program and passing the PTCB exam, pharmacy technicians may apply for a pharmacy technician license with the Board of Pharmacy. The license application must include demographic information for the person applying, any felony offense or drug-related offenses committed or pending, information on whether the person applying has ever had a revoked or suspended pharmacy license or a denied pharmacy technician application, the pharmacy name and location where the applicant will work, the verified signature of the person applying, the date, and the license fees for the license issuance and wall hanging license to be displayed in the pharmacy.

Fingerprint requirement in effect in 2014 – Effective as of August 2014, all new applications for licensure for Pharmacists, Pharmacy Interns, Pharmacy Technicians (PTCB certified), and Pharmacy Technician Trainees, are required to submit to a fingerprint background check. There is no exception to this requirement and the Board cannot accept any fingerprint clearance cards in lieu of submitting fingerprints. All applications received prior to August 4, 2014, will be grandfathered in.

Pharmacy technician licenses must be renewed every other year, and renewal must be completed by filling out a renewal form and including the necessary renewal fees. All pharmacy technician licenses must be renewed every two years.

Pharmacy technicians may perform the following tasks when working under the supervision of a licensed pharmacist:

- Accept approval of refill authorizations from a prescriber or representative. The approval may be accepted electronically or verbally, and must include the prescriber's name, patient's name, drug name, quantity, additional refills, and name of the prescriber's representative.
- Enter information into a patient's profile.
- Document the prescription number and dispense date on the original prescription order.

- Enter prescription information into a patient's file to create a prescription label for verification by a pharmacist.
- Reconstitute powdered medications if ingredients added are verified by a pharmacist before reconstitution, and the final product is verified after reconstitution.
- Count out or pour medications into bottles for verification by a pharmacist.
- Pre-package medications for verification by a pharmacist.
- Prepare medication for dispensing in the inpatient hospital setting for verification by a pharmacist.

**NOTE:** *Pharmacy technicians cannot record new prescriptions called in by a prescriber. This includes any changes made to a refill prescription, because a refilled prescription that has been changed is considered a new prescription.*

Technicians must wear a nametag with their name and title while working as a pharmacy technician.

Pharmacy technician training programs may be conducted at the pharmacy where the technician will work, or off-site at a training school. Training programs must teach the technician the tasks they will be required to perform in their employment and discuss the policies and procedures and activities that may be completed by a pharmacy technician as implemented by the Board of Pharmacy. Technicians must be assessed on their knowledge of these tasks and retrained if they do not demonstrate competency.

The pharmacist-in-charge who is training the pharmacy technician must keep a record of the progress of the trainee and sign off on a document when the technician has completed the training program successfully. Documentation of successful completion of the training program must be saved for possible inspection by the Board of Pharmacy, and a copy must be provided to the technician as well.

Technicians who wish to compound prescription medications must successfully pass a training program onsite at the pharmacy where they are employed, or off-site at a pharmacy technician training school. The training program must address the following guidelines:

- The tasks the pharmacy technician will be required to perform.
- Preparation of the area to be used for compounding of prescription medications.
- Preparation of the products to be used in the compounding of a prescription product.
- Aseptic technique to be used for the preparation of prescription products in a sterile environment.
- How to properly package and label prescription products.
- Proper cleanup of the medication compounding area, including procedures for hazardous waste cleanup.

The technician's training progress must be documented by the pharmacist in charge, and program completion must be recorded and signed by the pharmacist in charge. Documentation of the completion of training programs must be maintained for possible inspection by the Board of Pharmacy.

**NOTE:** *Only pharmacy technicians who have successfully completed a medication compounding training program may compound prescription medications for final verification by a pharmacist!*

## Pharmacy technician continuing education requirements

In Arizona, pharmacy technicians need to obtain a license from the Board of Pharmacy to work in a pharmacy. To maintain their license, technicians must complete 20 hours of continuing education every other year, with two hours on the topic of pharmacy law, to be eligible for license renewal. Proof of continuing education completion should be retained for five years, and credits may not be carried over to the next renewal period.

**NOTE:** *Address changes and changes in employer for any licensed pharmacy employee must be reported to the Board of Pharmacy within 10 days.*

## Pharmacists administering immunizations

In the state of Arizona, pharmacists who are certified to give immunizations may immunize adults as recommended by the adult immunization schedule or international travel recommendations issued by the U.S. Centers for Disease Control. These immunizations may be issued without a prescription.

Certified pharmacists may immunize children aged 6-18 years with flu immunizations or immunizations necessary during a public health emergency without a prescription order. Other immunizations may be given with a prescription order from the patient's prescriber.

Pharmacists must be trained and certified in immunization delivery before they are eligible to apply for a certificate to immunize patients. The training program must include the following information:

- Immunology and the immune response involved in immunization of patients.
- Names of available vaccines, dose, side effects, immunization schedule, and how immunity occurs with each available vaccine.
- How to respond to emergencies that occur from the administration of a vaccine, including how to administer epinephrine or diphenhydramine to slow the effects of an allergic reaction to a vaccine.
- How to administer intramuscular and subcutaneous injections.
- Proper record keeping requirements and reporting requirements for adverse effects and prescriber notification.

**NOTE:** *The training program developed by the American Pharmacists Association (APhA) meets the requirements for immunization training programs in Arizona.*

Pharmacists who have passed the immunization training program are eligible for an immunization certificate from the Board of Pharmacy as long as they have a current unrestricted pharmacist license in Arizona and have a current certification in basic cardiopulmonary resuscitation (CPR). Pharmacists must apply for their immunization certificate with the Board of Pharmacy and receive board approval before administering immunizations to patients in Arizona.

Graduate interns may administer vaccinations after completion of a certification course and certification by the Board of Pharmacy, but only under the supervision of a licensed, immunization-certified pharmacist. Graduate interns may also administer epinephrine or

diphenhydramine in an emergency situation under the supervision of a licensed, certified pharmacist.

Once graduate interns or pharmacists are certified to administer immunizations, the certification must be maintained with the Board of Pharmacy and kept in the pharmacy for review by patients or the Board of Pharmacy if needed. Immunization certifications must be renewed every five years. To be eligible for renewal, a renewal application must be sent to the Board of Pharmacy including a current certificate in basic cardiopulmonary resuscitation and completion of 0.5 continuing education units (5 hours) on the administration of immunizations.

Immunizations given must have accurate records maintained at the pharmacy. Each immunization given must have documentation that includes:

- The patient's name, address and birth date.
- The date the immunization was given and the injection site.
- The name of vaccine given as well as the dose, lot number, and expiration date.
- The name and address of the patient's primary care physician.
- The name of the pharmacist or graduate intern who gave the immunization.
- A record of consultation with the patient that determined the patient was eligible for vaccination.
- The date and time vaccination information was sent to the patient's primary care provider.
- Consultation information given to the patient, including the title and date of the vaccine information sheet (VIS).
- A copy of the parent consent form for vaccines given to minors.

Certain vaccines require a prescription for a pharmacist to immunize an adult. These include the Japanese encephalitis vaccine, the rabies vaccine, yellow fever vaccines, and typhoid vaccines. After receiving a prescription order for these vaccines, a pharmacist is allowed to immunize the patient.<sup>6</sup> All other vaccines may be administered to an adult patient without a prescription, according to the recommendations published by the U.S. Centers for Disease Control.

Documentation of vaccinations given to patients must be sent to the patient's primary care physician within 48 hours of immunization. Records must be kept in a readily accessible place for at least seven years for possible inspection by the Board of Pharmacy.

## 2015 legislative review<sup>5</sup>

Following is a summary of 2015 legislative changes that affect regulatory agencies. Unless otherwise noted, all new legislation takes effect on July 3, 2015.

- **Senate Bill 1370:** This bill adds a new statute to Title 32 (§32-3219) and applies to "medical practitioner" regulatory boards. Beginning December 31, 2015, these boards are required to submit information to the Arizona State Board of Pharmacy notifying the Board of Pharmacy of

1. New licensees who intend to apply for a DEA permit.
2. License renewals for medical practitioners who hold active licenses in Arizona.

The purpose of the statute is to facilitate the Board of Pharmacy with registering and providing access to the Controlled Substance

Prescription Monitoring Program (CSPMP). The medical practitioner regulatory board will be required to provide the Board of Pharmacy with "any information necessary" to facilitate the database registration and access. Once the Board of Pharmacy receives the necessary information, it can then register medical practitioners who hold DEA permits with the CSPMP and provide them access to the database. Additionally, a medical practitioner regulatory board is required to notify new licensees who intend to apply for a DEA permit of their responsibility to register with and be granted access to the CSPMP database.

- **HB 2086:** This bill adds A.R.S. §32-1978, which makes it a crime to sell to a minor (or for a minor to purchase) dextromethorphan (Delsym®) without a prescription.

## Conclusion

Arizona state pharmacy laws dictate the daily operations of pharmacies and pharmacy employees. It is important to stay up-to-date on new pharmacy laws that govern daily practice to serve patients within the limits of the law and obtain continuing education credits to maintain licensure. Information on new pharmacy laws in Arizona can be found on the Arizona Board of Pharmacy's website at <http://www.azpharmacy.gov/>.

A copy of the current Arizona state pharmacy law book can be found at <http://www.azpharmacy.gov/pdfs/law%20book%208-9-2012.pdf>.



## References

1. Arizona State Board of Pharmacy. (July, 2015) Rules and statutes. Retrieved July, 2015 from Arizona State Board of Pharmacy website <https://pharmacy.az.gov/resources/rules-statutes>
2. Arizona State Board of Pharmacy. (July 2015). New fingerprint requirement. Accessed July 27, 2015 <https://pharmacy.az.gov/>
3. Arizona State Board of Pharmacy. (July, 2015). Immunization rule, Arizona Administrative Code, R4-23-411, pharmacists-administered or pharmacy or graduate intern-administered immunizations. Accessed July 23, 2015 <https://pharmacy.az.gov/resources/license-permit-registration/immunization-registration>
4. Berman, Suzi. RPh (April 2012). Director of Pharmacy for Arizona State Board of Pharmacy tamper resistant prescription pads memo. Accessed at <https://pharmacy.az.gov/blog-terms/faqs> on July 24, 2015.
5. Arizona State Board of Pharmacy. (July, 2015). 2015 legislative changes in pharmacy. Volume 36, No.1 Newsletter. Accessed on July 28, 2015 <http://www.nabp.net/publications/newsletters/arizona-state-board-of-pharmacy>

## OVERVIEW OF ARIZONA PHARMACY LAW

### Final Examination Questions

Choose the best answer for questions 1 through 5 and mark your answers on the Final Examination Sheet found on page 85 or complete your test online at **PharmacyTech.EliteCME.com**

1. How many members of the Arizona Board of Pharmacy are pharmacists?
  - a. Nine.
  - b. Six.
  - c. Two.
  - d. One.
2. A prescription for oxycodone, a Schedule II controlled substance, is brought to the pharmacy to be filled. For how long is this prescription valid?
  - a. One year from the written date.
  - b. Six months from the written date.
  - c. Six months from the first fill date.
  - d. Ninety days from the written date.
3. How long must prescription hard copies be kept in a readily accessible area?
  - a. Two years.
  - b. Three years.
  - c. Seven years.
  - d. Nine years.
4. How many hours of continuing education must be completed by a pharmacy technician every other year?
  - a. 15 hours.
  - b. 2 hours.
  - c. 20 hours.
  - d. 30 hours.
5. Which of the following vaccines requires a prescription to be administered to an adult patient?
  - a. Tetanus.
  - b. Herpes zoster.
  - c. Influenza.
  - d. Japanese encephalitis.