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Legislative Services Office

Idaho State Legislature

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MEMORANDUM

TO: Senators HEIDER, Souza, Jordan and,
Representatives WOOD, Packer, Chew

FROM: Elizabeth Bowen - Principal Legislative Research Analyst

DATE: June 08, 2018

SUBJECT: Temporary Rule

IDAPA 27.01.04 - Rules Governing Pharmacist Prescriptive Authority - Adoption of Temporary Rule
- Docket No. 27-0104-1801

We are forwarding this temporary rule to you for your information only. No analysis was done by LSO. This rule is posted on our web site. If you have any questions, please call Elizabeth Bowen at the Legislative Services Office at (208) 334-4834. Thank you.

Attachment: Temporary Rule

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IDAPA 27 – BOARD OF PHARMACY
27.01.04 – RULES GOVERNING PHARMACIST PRESCRIPTIVE AUTHORITY
DOCKET NO. 27-0104-1801
NOTICE OF RULEMAKING – ADOPTION OF TEMPORARY RULE

EFFECTIVE DATE: The effective date of the temporary rule is July 1, 2018.

AUTHORITY: In compliance with Sections 67-5226, Idaho Code, notice is hereby given this agency has adopted a temporary rule. The action is authorized pursuant to Section 54-1717, Idaho Code.

DESCRIPTIVE SUMMARY: The following is the required finding and concise statement of its supporting reasons for adopting a temporary rule:

The House and Senate Health & Welfare Committees unanimously approved **Rule Docket 27-0104-1701**, Rules Governing Pharmacist Prescriptive Authority, on January 10, 2018. The legislative review led to a suggestion that Rule 024.01 be amended back to the Board’s originally proposed language via temporary rule. This rule docket makes the proposed change, clarifying that pharmacists can prescribe statins to patients “who have been diagnosed with diabetes” within certain parameters.

TEMPORARY RULE JUSTIFICATION: Pursuant to Sections 67-5226(1)(b), Idaho Code, the Governor has found that temporary adoption of the rule is appropriate for the following reasons:

The legislative review of Rule Docket 27-0104-1701 led to a discussion of making this change via temporary rule to coincide with the effective date of the docket: July 1, 2018.

FEE SUMMARY: Pursuant to Section 67-5226(2), the Governor has found that the fee or charge being imposed or increased is justified and necessary to avoid immediate danger and the fee is described herein: N/A

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning the temporary rule, contact Alex Adams, Executive Director, at (208) 334-2356.

DATED this 12th day of April, 2018.

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Executive Director
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THE FOLLOWING IS THE TEXT OF THE TEMPORARY RULE FOR DOCKET NO. 27-0104-1801
(Only Those Sections With Amendments Are Shown.)

024. PHARMACIST PRESCRIBING FOR CLINICAL GAPS IN CARE.

A pharmacist may prescribe any drug approved by the FDA for the purposes of closing a gap in clinical guidelines as follows: (7-1-18)

01. Statins. Statins, for patients who have ~~a current prescription for a drug for~~ been diagnosed with
diabetes; and ~~(7-1-18)~~(7-1-18)T

02. Short-Acting Beta Agonists. Short-acting beta agonists (SABA), for patients with asthma who have had a prior prescription for a SABA, and who have a current prescription for a long-term asthma control medication. (7-1-18)