

Document: Proposed Rule

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TITLE 856 INDIANA BOARD OF PHARMACY

Proposed Rule

LSA Document #00-292

DIGEST

Adds 856 IAC 1-6.1 to establish standards for the physical layout of retail pharmacies. Repeals 856 IAC 1-6. Effective 30 days after filing with the secretary of state.

856 IAC 1-6

856 IAC 1-6.1

SECTION 1. 856 IAC 1-6.1 IS ADDED TO READ AS FOLLOWS:

Rule 6.1. Drugstores, Pharmacies, Apothecary Shops

856 IAC 1-6.1-1 Pharmacy equipment; lack of access between adjacent pharmacies

Authority: IC 25-26-13-4

Affected: IC 25-26-13-18

Sec. 1. (a) In addition to the requirements of IC 25-26-13-18, the qualifying pharmacist for each pharmacy issued a permit by the board shall be responsible for all decisions concerning the additional fixtures, facilities, and equipment needed by the pharmacy to operate properly in compliance with the law regulating pharmacies. In making those decisions, the qualifying pharmacist shall consider minimum health, safety, and security measures as well as the type and scope of practice, the patient's needs, and the laws and rules that apply.

(b) If requested by a representative of the Indiana board of pharmacy (board), the qualifying pharmacist shall justify, in writing, all decisions made under this rule.

(c) The board shall determine whether minimum health, safety, and security measures have been satisfactorily met by an applicant for a pharmacy permit before the permit is issued or at any time the permit is in effect.

(d) If the board determines that a pharmacy does not meet the requirements of IC 25-26-13-18 and this rule, it will identify and notify the qualifying pharmacist of the deficiencies. The qualifying pharmacist shall correct or cause to be corrected the deficiencies identified within thirty (30) days of notification by the board of the noncompliance.

(e) Failure to timely correct the deficiencies identified is grounds for denial or revocation of a permit.

(f) To assure that no pharmacy is left unattended by a pharmacist while that pharmacy is in operation, no means of access may be constructed or maintained between adjacent pharmacies. (Indiana Board of Pharmacy; 856 IAC 1-6.1-1)

SECTION 2. 856 IAC 1-6 IS REPEALED.

Notice of Public Hearing

Under IC 4-22-2-24, notice is hereby given that on April 9, 2001 at 9:30 a.m., at the Indiana Government Center-South, 402 West Washington Street, Conference Center Room C, Indianapolis, Indiana the Indiana Board of Pharmacy will hold a public hearing on a proposed new rule concerning the physical layout of retail pharmacies. Copies of these rules are now on file at the Indiana Government Center-South, 402 West Washington Street, Room W041 and Legislative Services Agency, One North Capitol, Suite 325,

Indianapolis, Indiana and are open for public inspection.

Beth Anne Compton
Executive Director
Health Professions Bureau