

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control _____ Department or Agency: Alabama State Board of Pharmacy
Rule No. 680-X-2-.33
Rule Title: Internet Pharmacies

_____ New Amendment _____ Repeal _____ Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? Yes

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? Yes

Is there another, less restrictive method of regulation available that could adequately protect the public? No

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? No

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? No

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? Yes

Does the proposed action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule? No

Does the proposed rule have an economic impact? No

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Services Agency.

Signature of certifying officer *Denise C. [Signature]*

Date 10/17/19 10:25

LEGISLATIVE SVC AGENCY

(STAMP)

Alabama State Board of Pharmacy

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Board of Pharmacy

RULE NO. & TITLE:

680-X-2-.33 Internet Pharmacies

INTENDED ACTION:

Amend Rule

SUBSTANCE OF PROPOSED ACTION:

To ensure valid patient/physician relationship for all prescriptions.

TIME, PLACE, MANNER OF PRESENTING VIEWS:

Oppositions can be submitted to the Alabama State Board of Pharmacy, 111 Village Street, Birmingham Alabama 35242. Office business hours are 8:00am - 4:00pm Monday through Friday. Please present your views in writing, fax or email. Public hearing will be December 18, 2019 at 9:00am

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Comments concerning this change must be received by the Alabama State Board of Pharmacy no later than December 11, 2019

CONTACT PERSON AT AGENCY:

Wendy Passmore, Operations Manager
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Donna C. Yeatman, R.Ph. Executive Secretary

680-X-2-.33 Internet Pharmacies.

Before dispensing a prescription, a A pharmacist shall make every reasonable effort to ensure that any order, regardless of the means of transmission, has been issued for a legitimate medical purpose by an authorized practitioner. ~~A pharmacist shall not dispense a prescription drug if the pharmacist has knowledge, or reasonably should have known under the circumstances, that the order for such drug was issued on the basis of an internet-based questionnaire, an internet-based consultation, or a telephonic consultation, all without~~ and pursuant to a valid preexisting patient-practitioner relationship.

Author: James S. Ward, J.D.

Statutory Authority: Code of Ala. 1975, §34-23-92

History: New Rule: Filed March 17, 2006; effective April 21, 2006. **Amended**