Department of Consumer Affairs
Title 16. Pharmacy

Proposed Regulatory Language
Remote Processing

Legend: Added text is indicated with an <u>underline</u>.

Add section 1717.11 to Division 17 of Title 16 of the California Code of Regulations, to read as follows:

§1717.11. Remote Processing.

(a) <u>A pharmacist located and licensed in the state may perform remote processing of prescriptions, from a location outside of a licensed facility, under the following conditions:</u>
  (1) <u>The pharmacy is responsible for ensuring all appropriate and necessary security and confidentiality provisions are in place, including compliance with HIPAA requirements, and specified in its policies and procedures.</u>
  (2) <u>The pharmacist has agreed to perform remote processing and designates the space to perform such processing in a written agreement with the pharmacy. Such space shall be open for inspection by the Board consistent with the provisions of Business and Professions Code section 4008.</u>
  (3) <u>The written agreement (including modifications) required in (a)(2) of this section shall be maintained, for at least three years following the pharmacist's employment, in a readily retrievable format and shall be available for inspection by the Board.</u>
  (4) <u>The duties for remote processing of prescriptions shall be approved by the pharmacist-in-charge and specified in the pharmacy's policies and procedures.</u>
  (5) <u>A pharmacy shall maintain a record of all the pharmacist's activities performed pursuant to this section.</u>
(b) <u>For purposes of this section, "remote processing of prescriptions" does not include final product verification, supervision of pharmacy personnel, or the dispensing of a drug.</u>

<u>Note: Authority cited: Sections 4005 and 4036, Business and Professions Code.</u>
<u>Reference: Sections 4005, 4008, and 4036, Business and Professions Code.</u>