



OREGON STATE  
PHARMACY ASSOCIATION

LEADING PHARMACY, ADVANCING HEALTHCARE

April 16, 2018

## **OSPA Position Statement on the Oregon Board of Pharmacy proposed changes to rules regarding PICs**

**The Oregon State Pharmacy Association supports proposed OAR 855-041-2105 rule changes. Specifically (2)(a) which ensures that a person directing the professional activities of a PIC is an Oregon licensed pharmacist.**

**Comments in support:** Supervision of PICs by licensed pharmacists is a best practice in the community pharmacy industry, and the standard in the hospital pharmacy industry. Licensing in the State of Oregon is essential to understanding the laws which govern pharmacy practice in Oregon. Additionally, pharmacists understand the specific practice and business needs of pharmacies and, compared with non-pharmacists, they can better coach and mentor PICs on pharmacy management performance and improving patient care.

**Concerns:** We do not want this rule to prevent a non-pharmacist from owning a community pharmacy, or for a clinic or non-traditional practice from operating a community pharmacy without a pharmacist middle manager. Indeed, businesses should be able to run pharmacy operations without a pharmacist middle manager, as long as they are not directing the professional activities of pharmacists.

Additionally, we are concerned that The Board may use this rule to take action against the licenses of middle managers for the transgressions of companies. When action is necessary, we would expect that The Board would exercise judgement to act against the appropriate pharmacist or drug outlet license.

**The Oregon State Pharmacy Association supports proposed OAR 855-019-300 rule changes. Specifically, (4)(a-d) which clarify the activities which a PIC is specifically responsible for.**

**Comments in support:** Control of the day to day operations of a pharmacy belongs with the PIC. Specifically, it is the PIC's responsibility to assure safety and appropriate care for patients. This rule clarifies what is already the standard of practice for community pharmacy. It also holds PICs accountable for these responsibilities; they cannot ignore them and defer their responsibility to someone else in their company.

**Concerns:** Compliance with this rule is subject to judgement and interpretation by The Board. Guidance is needed from The Board to PICs and businesses, to understand when control and responsibility is in the businesses domain, the PIC's domain, or where they overlap. Interpretations need to be consistent and well communicated amongst all community pharmacies. Businesses need the ability to standardize, improve efficiencies of pharmacies, effectively manage human resources, maintain service standards, and determine what services to offer.