

NOTICES OF RULEMAKING DOCKET OPENING

The Administrative Procedure Act (APA) requires the publication of Notices of Rulemaking Docket Opening when an agency opens a rulemaking docket to consider rulemaking. Under the APA effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process.

NOTICE OF RULEMAKING DOCKET OPENING BOARD OF PHARMACY

[R05-410]

- 1. Title and its heading:** 4, Professions and Occupations
Chapter and its heading: 23, Board of Pharmacy
Articles and their headings:

6, Permits and Distribution of Drugs
10, Uniform Controlled Substances and Drug Offenses

Section numbers:

R4-23-601, General Provisions
R4-23-613, Procedure for Discontinuing a Pharmacy
R4-23-1003, Records and Order Forms

As part of this rulemaking, the Board may add, delete, or modify additional Sections as necessary.

2. The subject matter of the proposed rule:

During the Board's June 2005 five-year rule review, the Board determined that R4-23-1003 (Records and Order Forms) contained two subsections with a three-year records retention clause. The Board has decided to change the records retention requirement for all drug purchases and for drug sales other than on a prescription to two years instead of three to conform to the federal requirement. The Board feels that conforming to the federal two-year requirement will cause less confusion for pharmacists and pharmacies. The proposed rules will change R4-23-1003(A)(1)(f) and (A)(4) to require that inventory records be available for two years instead of three. The Board staff identified R4-23-601 (General Provisions) as containing a subsection with a three-year records retention clause. The proposed rules will change R4-23-601(D)(2) to require that records of receipt and disposal of drugs be kept for two years instead of three. The Board staff also identified R4-23-613 (Procedure for Discontinuing a Pharmacy) as containing three subsections with a seven-year records retention clause. The proposed rules will change R4-23-613(A)(3), (D)(3)(c), and (F) to require that records of receipt and disposal of drugs be kept for two years instead of seven. The Board feels these changes are necessary to maintain the consistency of the proposed rules with existing Board statutes and rules. The rule will include format, style, and grammar necessary to comply with the current rules of the Secretary of State and Governor's Regulatory Review Council.

The agency docket number, if applicable: R0509

3. A citation to all published notices relating to the proceeding:

None

4. The name and address of agency personnel with whom persons may communicate regarding the rule:

Name: Dean Wright, Compliance Officer
Address: Arizona Board of Pharmacy
4425 W. Olive Ave., Suite 140
Glendale, AZ 85302
Telephone: (623) 463-2727, ext. 131
Fax: (623) 934-0583
E-mail: rxcop@cox.net

5. The time during which the agency will accept written comments:

The Board will accept written comments Monday through Friday, 8 a.m. to 5 p.m.

The time and place where oral comments may be made:

Time: Monday through Friday, 8 a.m. to 4:30 p.m.
Location: Arizona Board of Pharmacy
4425 W. Olive Ave., Suite 140
Glendale, AZ 85302
Nature: Oral comments

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Written and oral comments will be accepted until the close of record on a date and time as yet undetermined.

6. A timetable for agency decisions or other action on the proceeding, if known:

None

NOTICE OF RULEMAKING DOCKET OPENING

**DEPARTMENT OF HEALTH SERVICES
EMERGENCY MEDICAL SERVICES**

[R05-412]

- 1. Title and its heading:** 9, Health Services
Chapter and its heading: 25, Department of Health Services – Emergency Medical Services
Articles and their headings: 2, Medical Direction; ALS Base Hospital Certification
10, Ground Ambulance Vehicle Registration
Section numbers: R9-25-204 and R9-25-1003 (Sections may be added, deleted, or modified as necessary.)

2. The subject matter of the proposed rule:

This rulemaking will establish medical direction responsibilities related to supervision of an EMS Provider’s prehospital drugs and may include standard operating procedure and compliance audit requirements. The rulemaking will also amend the equipment and supply requirements for a ground ambulance unit as related to drugs and drug-related equipment and supplies and may require temperature control of drugs in a ground ambulance unit and for a BLS ground ambulance unit to carry a minimum supply of drugs.

The agency docket number, if applicable: RE-020-05

3. A citation to all published notices relating to the proceeding:

None

4. The name and address of agency personnel with whom persons may communicate regarding the rule:

Name: Gene Wikle, Bureau Chief
Address: Arizona Department of Health Services
Bureau of Emergency Medical Services
150 N. 18th Ave., Suite 540
Phoenix, AZ 85007

Telephone: (602) 364-3150
Fax: (602) 364-3568
E-mail: wikle@azdhs.gov

or

Name: Kathleen Phillips, Rules Administrator
Address: Arizona Department of Health Services
Office of Administrative Rules
1740 W. Adams, Suite 202
Phoenix, AZ 85007

Telephone: (602) 542-1264
Fax: (602) 364-1150
E-mail: phillik@azdhs.gov

5. The time during which the agency will accept written comments and the time and place where oral comments may be made:

ADHS will accept written comments until the close of record, which has not yet been determined. ADHS has not scheduled any oral proceedings at this time.

6. A timetable for agency decisions or other action on the proceeding, if known:

None