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**TITLE 856 INDIANA BOARD OF PHARMACY**

**Administrative Rules Oversight Committee Notice  
60 Day Requirement ([IC 4-22-2-19](#))  
LSA Document #12-414**

July 10, 2012

Senator R. Michael Young, Chairperson  
Administrative Rules Oversight Committee  
c/o Legislative Service Agency  
200 West Washington Street, Suite 301  
Indianapolis, Indiana 46204-2789  
Attn: Sarah Burkman

RE: AROC Notice for LSA Document #12-414

Dear Senator Young:

The Indiana Board of Pharmacy is in the process of implementing rules which will set standards for pharmacies and other entities who wish to participate in drug take back programs.

The General Assembly authorized the Board to adopt these rules in Public Law 119-2011. The effective date of that statute was July 1, 2011. Under Ind. Code 4-22-2-19, the rulemaking process must begin within 60 days of the enactment of such statutory authority unless an exception applies. The rulemaking process did not begin for these rules within 60 days of the effective date of the statutory authority. The Board adopted emergency rules on the same subject matter in December 2011, but did not publish them until April 2012. Those rules will expire on July 24, 2012, and the Board has already determined that it will seek an extension for the emergency rules. In the interim, the Board has begun the process to adopt nonemergency rules by filing a Notice of Intent to Adopt a Rule on July 11, 2012 (DIN: [20120711-IR-856120414NIA](#)). The delay in adopting the nonemergency rules was the result of drafting rule language of a technical nature and assessing the cost and impact of those rules on participating entities.

The Board is providing this written notification to the Committee to explain why this rule could not comply with the time frame specified in Ind. Code 4-22-2-19(c)(1).

If you need additional information please contact Gregory Pachmayr, Director of the Indiana Board of Pharmacy at (317) 234-2020.

Sincerely,

Gregory Pachmayr, Director  
Indiana Board of Pharmacy

*Posted: 07/25/2012 by Legislative Services Agency*  
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