

Notice of Intent to Adopt a Rule

LSA Document #12-619

Under [IC 4-22-2-23](#), the Indiana Board of Pharmacy intends to adopt a rule concerning the following:

OVERVIEW: Amends [856 IAC 1-1.1-3](#) to update the definition of in personal attendance. Adds [856 IAC 1-1.1-4](#) to define reasonable visual and vocal distance. Adds [856 IAC 1-1.1-5](#) to define supervision. Adds [856 IAC 1-1.1-6](#) to define pharmaceutical care. Adds [856 IAC 1-1.1-7](#) to define real-time online database. Adds [856 IAC 1-1.1-8](#) concerning unlicensed person. Adds [856 IAC 1-1.1-9](#) to define electronic database. Adds [856 IAC 1-1.1-10](#) to define electronic record or image. Amends [856 IAC 1-29-1](#) concerning the approval of electronic data processing system. Amends [856 IAC 1-29-3](#) to update the hard-copy of daily dispensing, verification and retention, and back-up capability requirements. Amends [856 IAC 1-29-6](#) to update data entry and supervision requirements. Amends [856 IAC 1-29-9](#) to update the applicability of [856 IAC 1-29](#). Amends [856 IAC 1-31-1](#) to update facsimile machines requirements. Amends [856 IAC 1-31-2](#) to update the requirements for the use of a facsimile machine to electronically transmit a prescription or drug order. Adds [856 IAC 1-31-3](#) concerning facsimile prescription or drug order maintenance. Amends [856 IAC 1-32-2](#) to update the requirements for noncontrolled and controlled substance prescription transfers. Amends [856 IAC 1-32-4](#) to update the responsibilities of pharmacists. Adds [856 IAC 1-32-5](#) concerning electronic transfers. Amends [856 IAC 1-34-2](#) to update security feature requirements. Amends [856 IAC 1-37-1](#) to update the requirements for central fill or processing, or both, of prescriptions and drug orders. Adds [856 IAC 1-37-1.1](#) regarding central fill or processing, or both, facilities. Adds [856 IAC 1-37-1.2](#) concerning central fill or processing, or both, supervision. Adds [856 IAC 1-37-1.3](#) concerning central fill or processing, or both, remote practice. Amends [856 IAC 1-37-2](#) to update the contracting for central fill or processing, or both, requirements. Adds [856 IAC 1-37-2.1](#) concerning contracting for central fill or processing, or both, policies and procedures. Amends [856 IAC 1-37-3](#) to update policy and procedures manual requirements. Amends [856 IAC 1-40-8](#) to update electronic data intermediary requirements. Adds [856 IAC 1-41](#) concerning cognitive services. Adds [856 IAC 1-42](#) concerning remote pharmacy practice. Amends [856 IAC 2-4-1](#) to update records and inventories requirements. Adds [856 IAC 2-6-1.5](#) concerning signature requirements. Amends [856 IAC 2-6-7](#) to update schedule II controlled substances, prescription required, and exception requirements. Amends [856 IAC 2-6-9](#) to update schedule II controlled substances partial filling of prescriptions requirements. Amends [856 IAC 2-6-10](#) to update schedule II controlled substances, label information, and exceptions requirements. Amends [856 IAC 2-6-12](#) to update schedules III and IV controlled substances requirements. Amends [856 IAC 2-6-13](#) to update schedules III, IV, and V controlled substances, refilling prescriptions, retrievable information requirements. Amends [856 IAC 2-6-17](#) to update schedule V controlled substances, prescription requirements, refilling, exceptions requirements. Amends [856 IAC 2-6-18](#) to update dispensing without a prescription, delivery of devices requirements. Repeals [856 IAC 1-35-2](#) and [856 IAC 1-35-3](#). Statutory authority: [IC 25-26-13-4](#); [IC 35-48-3-1](#).

For purposes of [IC 4-22-2-28.1](#), the Small Business Regulatory Coordinator for this rule is:

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For purposes of [IC 4-22-2-28.1](#), the Small Business Ombudsman designated by [IC 5-28-17-5](#) is:

Eric P. Shields
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One North Capitol, Suite 700
Indianapolis, IN 46204
(317) 234-3997
smallbizombudsman@iedc.in.gov

Resources available to regulated entities through the small business ombudsman include the ombudsman's duties stated in [IC 5-28-17-5](#), specifically [IC 5-28-17-5\(9\)](#), investigating and attempting to resolve any matter regarding compliance by a small business with a law, rule, or policy administered by a state agency, either as a party to a proceeding or as a mediator.

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