

ADMINISTRATIVE RULES Fiscal Estimate & Economic Impact Analysis

1. Type of Estimate and Analysis
 Original Updated Corrected

2. Administrative Rule Chapter, Title and Number
Phar 1 and 8

3. Subject
Definitions and controlled substances

4. Fund Sources Affected <input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEG-S	5. Chapter 20, Stats. Appropriations Affected
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6. Fiscal Effect of Implementing the Rule
 No Fiscal Effect Increase Existing Revenues Increase Costs
 Indeterminate Decrease Existing Revenues Could Absorb Within Agency's Budget
 Decrease Cost

7. The Rule Will Impact the Following (Check All That Apply)
 State's Economy Specific Businesses/Sectors
 Local Government Units Public Utility Rate Payers
 Small Businesses **(if checked, complete Attachment A)**

8. Would Implementation and Compliance Costs Be Greater Than \$20 million?
 Yes No

9. Policy Problem Addressed by the Rule
Clarifies the definition of pharmacy includes out-of-state pharmacies licensed by the Board and move the word "emergency" in Phar 8.07(2) to only modify an oral prescription order. Electronic prescriptions are allowed for controlled substances regardless of whether it is an emergency while oral prescriptions are allowed for controlled substances only in an emergency. Later in the sentence, the word "emergency" correctly only modifies oral prescription and this rule creates consistency in the treatment of electronic orders within the subsection.

10. Summary of the businesses, business sectors, associations representing business, local governmental units, and individuals that may be affected by the proposed rule that were contacted for comments.
The rule was posted for economic impact comments and none were received.

11. Identify the local governmental units that participated in the development of this EIA.
None

12. Summary of Rule's Economic and Fiscal Impact on Specific Businesses, Business Sectors, Public Utility Rate Payers, Local Governmental Units and the State's Economy as a Whole (Include Implementation and Compliance Costs Expected to be Incurred)
No economic or fiscal impact.

13. Benefits of Implementing the Rule and Alternative(s) to Implementing the Rule
The benefits of implementing the rule are to create clarity and accuracy.

14. Long Range Implications of Implementing the Rule
The benefits of implementing the rule are to create clarity and accuracy.

15. Compare With Approaches Being Used by Federal Government
21 CFR 1311 allows electronic prescriptions for controlled substances.

16. Compare With Approaches Being Used by Neighboring States (Illinois, Iowa, Michigan and Minnesota)
Our surrounding states do not have a definition of pharmacy, although Illinois does have definitions for the specific types of pharmacies. Illinois, Michigan and Minnesota allow electronic prescriptions for controlled substances as provided in federal law. Iowa allows electronic prescriptions for controlled substances.

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17. Contact Name

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18. Contact Phone Number

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ATTACHMENT A

1. Summary of Rule's Economic and Fiscal Impact on Small Businesses (Separately for each Small Business Sector, Include Implementation and Compliance Costs Expected to be Incurred)

2. Summary of the data sources used to measure the Rule's impact on Small Businesses

3. Did the agency consider the following methods to reduce the impact of the Rule on Small Businesses?

- Less Stringent Compliance or Reporting Requirements
 - Less Stringent Schedules or Deadlines for Compliance or Reporting
 - Consolidation or Simplification of Reporting Requirements
 - Establishment of performance standards in lieu of Design or Operational Standards
 - Exemption of Small Businesses from some or all requirements
 - Other, describe:
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4. Describe the methods incorporated into the Rule that will reduce its impact on Small Businesses

5. Describe the Rule's Enforcement Provisions

6. Did the Agency prepare a Cost Benefit Analysis (if Yes, attach to form)

- Yes No
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