

# STATEMENT OF SCOPE

## PHARMACY EXAMINING BOARD

**Rule No.:** Phar 5, 6, 7, 11, 12

**Relating to:** Name and address change, floor design, procedures for disciplinary proceedings, superseded references, and technical correction.

**Rule Type:** Permanent

**1. Finding/nature of emergency (Emergency Rule only):** N/A

**2. Detailed description of the objective of the proposed rule:**

The objective of the rule is to repeal or modify provisions of the rule identified in the Pharmacy Examining Board's report to the Joint Committee for Review of Administrative Rules pursuant to s. 227.29, Stats. In addition, the rule will make a typographical correction in Phar 7.04 (3).

**3. Description of the existing policies relevant to the rule, new policies proposed to be included in the rule, and an analysis of policy alternatives:**

The Pharmacy Examining Board identified the following rules in the report filed with the Joint Committee for Review of Administrative Rules pursuant to s. 227.29, Stats.:

- In Phar 5.02, it is obsolete or unnecessary to require the notification to the Board regarding name or address change to be submitted in writing.
- In Phar 6.04, there are economically burdensome requirements and requirements which do not correspond with the evolving types of pharmacies.
- Ch. Phar 11 is duplicative and unnecessary.
- In Phar 12.04, the federal standards referenced have been superseded.

In addition, this rule will correct a typographical error occurring in CR 19-145 related to Phar 7.04 (3) which should refer to Schedule III – V instead of Schedule III – IV. The omission of Schedule V creates inconsistency with the federal law and confusion for pharmacists.

**4. Detailed explanation of statutory authority for the rule (including the statutory citation and language):**

Each examining board: shall promulgate rules for its own guidance and for the guidance of the trade or profession to which it pertains and define and enforce professional conduct and unethical practices not inconsistent with the law relating to the particular trade or profession. [s. 15.08 (5) (b), Stats.]

The board shall adopt rules defining the active practice of pharmacy. [s. 450.02 (2), Stats.]

The board may adopt rules:

Relating to the manufacture of drugs and the distribution and dispensing of prescription drugs

Establishing security standards for pharmacies.

Necessary for the administration and enforcement of this chapter and ch. 961.

Establishing minimum standards for the practice of pharmacy. [s. 450.02 (3) (a), (b), (d) and (e), Stats.]

**5. Estimate of amount of time that state employees will spend developing the rule and of other resources necessary to develop the rule:**

60 hours

**6. List with description of all entities that may be affected by the proposed rule:**

Pharmacies and pharmacists

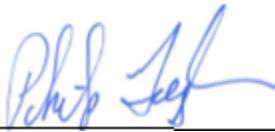
**7. Summary and preliminary comparison with any existing or proposed federal regulation that is intended to address the activities to be regulated by the proposed rule:**

None

**8. Anticipated economic impact of implementing the rule (note if the rule is likely to have a significant economic impact on small businesses):**

None to minimal. It is not likely to have a significant economic impact on small business.

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Authorized Signature

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