APA-4
Revised 1/2018

CERTIFICATION OF EMERGENCY RULES
FILED WITH LEGISLATIVE SERVICES AGENCY
OTHNI LATHRAM, INTERIM DIRECTOR

Pursuant to Code of Alabama 1975, §§41-22-5(b) and 41-22-6(c)(2)a. and b.

I certify that the attached emergency (amendment, new rule, new chapter, repeal or adoption by reference) is a correct copy as promulgated and adopted on the 2 day of **April 2020**.

AGENCY NAME: **Alabama State Board of Pharmacy**

RULE NO. AND TITLE: **680-X-2-.01ER Temporary Pharmacist Permit**

EFFECTIVE DATE OF RULE: **April 2, 2020**

EXPIRATION DATE (If less than 120 days): **July 31, 2020**

NATURE OF EMERGENCY: **COVID - 19 State of Emergency**

STATUTORY AUTHORITY: Code of Ala 1975 §34-23-92

SUBJECT OF RULE TO BE ADOPTED ON PERMANENT BASIS ____ YES **X** NO

NAME, ADDRESS, AND TELEPHONE NUMBER OF PERSON TO CONTACT FOR COPY OF RULE:

Wendy Passmore, Operations Manager
111 Village Street, Birmingham, AL 35242
Phone : 205-981-4764
Email: wpassmore@albop.com

REC'D & FILED
APR 2 2020
LEGISLATIVE SVC AGENCY

Signature of officer authorized to promulgate and adopt rules and regulations or his or her deputy

FILING DATE
(For APA Use Only)

Alabama State Board of Pharmacy

NOTICE OF INTENDED ACTION

AGENCY NAME:

Alabama Board of Pharmacy

RULE NO. & TITLE:

680-X-2-.01ER Temporary Pharmacist Permit

INTENDED ACTION:

Adding a rule for State of Emergency

SUBSTANCE OF PROPOSED ACTION:

The Alabama State Board of Pharmacy proposes to add an emergency rule to provide continued care during COVID 19 State of Emergency.

TIME, PLACE, MANNER OF PRESENTING VIEWS:

Not Applicable - Emergency Submission

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Not Applicable - Emergency Submission

CONTACT PERSON AT AGENCY:

Wendy Passmore, Operations Manager
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Donna C. Yeatman, R.Ph. Executive Secretary

680-X-2-.01ER Temporary Pharmacist Practice Permit

Due to the SARS-CoV-2 pandemic, there is a need for additional pharmacists to provide healthcare to citizens of Alabama suffering from and effected by COVID-19.

(1) The Board of Pharmacy may issue a Temporary Pharmacist Practice Permit to applicants that evidence satisfactorily to the Board the following:

a. The applicant possesses a full and unrestricted license to practice pharmacy issued by the appropriate pharmacy licensing board of another state;

b. The applicant has never been convicted, received adjudication, community supervision, or deferred prosecution of any felony offense or any crime related to fraud, violence, sexual violations, or related to the practice of pharmacy;

c. The applicant has never had his or her pharmacy license subjected to discipline by a licensing agency in any state, federal or foreign jurisdiction, excluding any action related to the nonpayment of fees related to a license;

d. The applicant has never had a controlled substance license or permit suspended or revoked by any state or the Drug Enforcement Agency;

e. The applicant is not currently under investigation by a licensing agency or law enforcement authority or any state, federal, or foreign jurisdiction;

f. The applicant is a United States citizen, a National of the United States or an alien lawfully present in the United States;

(2) A Temporary Pharmacist Practice Permit issued under this rule shall expire one hundred twenty (120) days after the effective date of this rule or when the Governor proclaims the termination of the state's public health emergency related to the SARS-CoV-2 pandemic, whichever is sooner. The effectiveness of this rule and any temporary permit issued may be extended by the order of the Governor.

(3) An applicant issued a Temporary Pharmacist Practice Permit shall also be issued a temporary controlled substances permit for the purpose of dispensing controlled substances only to patients suffering from and effected by the SARS-CoV-2 pandemic.

(4) An applicant for a Temporary Pharmacist Practice Permit shall certify to the Alabama State Board of Pharmacy that he/she intends to practice pharmacy to provide

healthcare to citizens of Alabama suffering from and effected by the SARS-CoV-2 pandemic.

(5) Applications for a Temporary Pharmacist Practice Permit shall not be required to pay a fee.

(6) Applicants shall be entitled to the expedited issuance of a Temporary Pharmacist Practice Permit upon certification of the applicant's satisfaction of this rule by the Board's Executive Secretary or her designee.

Author: Donna C. Yeatman, R.Ph. Executive Secretary
Statutory Authority: Code of Ala. 1975, §§34-23-92.
History: Emergency Rule Filed April 2. 2020; Effective until July 31, 2020.