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-.02ER Temporary Pharmacy 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
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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-.02ER Temporary Pharmacy 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:

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Donna C. Yeatman, R.Ph. Executive Secretary

680-X-2-.02ER Temporary Pharmacy Permit

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

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

a. The applicant shall apply to the board for a Temporary In-State Pharmacy Permit prior to opening.

b. The application for a Temporary In-State Pharmacy Permit shall be made on a form prescribed and furnished by the board which when properly executed shall indicate the ownership desiring such permit and the names and license numbers of all licensed pharmacists employed as well as the location of the pharmacy and other information as the board may require.

c. If more than one pharmacy is operated by the same owner, a separate application for registration shall be made and a separate Temporary In-State Pharmacy Permit issued for each such establishment.

d. Temporary In-State Pharmacy Permits issued under this section shall not be transferable.

e. Any change in the control of ownership or licensed pharmacists shall be reported to the board in writing within ten (10) days of such occurrence.

f. It shall be the duty of the owners of pharmacies who are not licensed pharmacists to immediately notify the board upon the termination of employment of licensed pharmacists and to cause the surrender of Temporary In-State Pharmacy Permits if indicated.

g. The further operation of the pharmacy in the absence of licensed pharmacist is forbidden; provided, that the nonregistered owner shall have a period of thirty (30) days within which to comply with this subsection.

h. Any other qualification the board deems reasonable and necessary in the public interest.

(2) A Temporary In-State Pharmacy 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 for a Temporary In-State Pharmacy Permit shall certify to the Alabama State Board of Pharmacy that the pharmacy intends to provide healthcare to citizens of Alabama suffering from and effected by the SARS-CoV-2 pandemic.

(4) Applications for a Temporary In-State Pharmacy Permit shall not be required to pay a fee.

(5) Applicants shall be entitled to the expedited issuance of a Temporary In-State Pharmacy 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.