



Commonwealth of Massachusetts
Department of Public Health

Helping People Lead Healthy Lives In Healthy Communities

Proposed Amendments of 105 CMR 722.000

Dispensing Procedures for Pharmacists

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- 105 CMR 722.000 sets forth procedures which clinic and hospital pharmacies must follow when dispensing drug products in accordance with M.G.L. c. 94C and the regulations promulgated thereunder.
- As part of regulatory review, the Bureau of Health Care Safety and Quality (BHCSQ) proposes amending 105 CMR 722, *Dispensing Procedures for Pharmacists*, having determined that it will:
 - Reduce confusion by regulated parties as to which regulations apply.
 - Increase efficiency and transparency; and
 - Eliminate redundancy.



Proposed amendments include the following:

- Renaming this regulation to *Dispensing Procedures for Clinic and Hospital Pharmacies*.
 - A name change will allow the regulation to better reflect that it regulates clinic and hospital pharmacies, and not the practice of individual pharmacists.
- Updating the statutory authority from a 1976 statute to M.G.L. c. 94C, which is the Commonwealth's Controlled Substance Act.



105 CMR 722.020

- 105 CMR 722.020 sets forth definitions for the regulation.
- Proposed amendments update the definition of a hospital employee to better reflect individuals who work for a hospital, including contractors and employees of a hospital system or accountable care organization.
- Proposed changes add new definitions, like Clinic Pharmacy.
- Proposed amendments also delete the following definitions, which are no longer necessary when several subsections are rescinded, as proposed:
 - Generic Name, Interchange, Interchangeable Drug Product, Medical Emergency, Reasonably Available Drug Product.



105 CMR 722.091

- Proposed amendments insert a new section, 105 CMR 722.091, *Clinic Pharmacies*.
- Proposed language provides clinic pharmacies with direction as to the operation of a clinic pharmacy, including how they may fill clinic orders and prescriptions.
- This amendment corrects a deficiency in the current regulation, which does not reference clinic pharmacies, although the Drug Control Program holds regulatory authority over them pursuant to M.G.L. c. 94C.



Rescissions of Sections

- The following sections are proposed for rescission:
 - 105 CMR 722.002, 722.010, 722.040, 722.050, 722.060, 722.070, 722.080
- These proposed rescissions relate to the professional practice of pharmacists in all setting and should be overseen by the Board of Pharmacy.
- The sections will be added to 247 CMR 9.00 *Code of Professional Conduct; Professional Standards for Registered Pharmacists, Pharmacies and Pharmacy Departments.*



Next Steps

- Staff intends to conduct the public comment hearing and return to the PHC to report on testimony and any recommended changes to this proposal.
- Following final action by the PHC, the Department will be able to file the final rescission with the Secretary of the Commonwealth.



Contact Information

- Thank you for the opportunity to present this information today.
- For more information on dispensing procedures for clinic and hospital pharmacists please find the full current regulation here:

<http://www.mass.gov/eohhs/docs/dph/regs/105cmr722.pdf>

Please direct any questions to:

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