

ARTICLE 20:51

PHARMACISTS

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CHAPTER 20:51:02

INTERNSHIP REQUIREMENTS

Section

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- 20:51:02:01.01 Goal and objectives of internship.
- 20:51:02:02 Repealed.
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- 20:51:02:15 Badge and certificate required.

20:51:02:16 Denial of pharmacy intern registration.

20:51:02:17 Sanctions.

20:51:02:11.01. Number of interns. A pharmacist may not supervise more than ~~one~~ two pharmacy ~~intern~~ interns at ~~a~~ one time in the pharmacy. ~~The~~ A pharmacy intern does not count for purposes of the ratio of technicians supervised by the pharmacist.

Source: 31 SDR 35, effective September 19, 2004; 36 SDR 21, effective August 17, 2009.

General Authority: SDCL 36-11-11(1), 36-11-25.

Law Implemented: SDCL 36-11-25.

Cross-Reference: Ratio, § 20:51:29:19.

CHAPTER 20:51:05

RESTRICTED PROFESSIONAL PRACTICES

Section

20:51:05:00 Definitions.

20:51:05:01 Transferred.

20:51:05:02 Transferred.

20:51:05:03 Repealed.

20:51:05:04 Repealed.

20:51:05:05 Repealed.

20:51:05:06 Transferred.

20:51:05:07 Transferred.

20:51:05:08 Repealed.

20:51:05:09 Repealed.

- 20:51:05:10 Repealed.
- 20:51:05:11 Repealed.
- 20:51:05:12 Repealed.
- 20:51:05:13 Repealed.
- 20:51:05:14 No advertising permitted on prescription blanks furnished to doctors.
- 20:51:05:15 Controlled drug to be dispensed only by prescription.
- 20:51:05:16 Prescription for Schedule II controlled drug requires date and signature of prescriber
-- Not refillable.
- 20:51:05:17 Oral prescription permitted for Schedule II controlled drug in emergency.
- 20:51:05:18 Partial filling of prescription for Schedule II controlled drug.
- 20:51:05:19 Prescription required to dispense Schedule III or IV controlled drug -- Refill
restricted.
- 20:51:05:20 Legend drug to be dispensed by prescription only -- Refill restricted.
- 20:51:05:21 Labeling of prescription container for controlled or noncontrolled legend drug.
- 20:51:05:22 Distribution of drugs to other practitioners.
- 20:51:05:23 Distribution of dialysate or dialysis devices by manufacturer or the manufacturer's
agent to a patient - Exempt from pharmacy licensure.

**20:51:05:23. Distribution of dialysate or dialysis devices by the manufacturer or
manufacturer's agent to patient – Exemption from pharmacy licensure.** A manufacturer of
dialysate and dialysis devices or an agent of a manufacturer may ship dialysate and dialysis devices
directly to a patient in this state, to an agent of the patient, or to a health care practitioner or
institution, for administration or delivery of dialysis therapy, to a patient with chronic kidney failure,
without being licensed as a pharmacy in this state if the following criteria have been met:

(1) The manufacturer or manufacturer's agent shipping the dialysate is licensed as a wholesaler or other drug distributor;

(2) The dialysate is stored and delivered in the original, sealed, and labeled package from the manufacturing facility; and

(3) The dialysate or dialysis devices are delivered only upon receipt of a prescription order issued by a licensed practitioner and only if an order from a licensed pharmacy is transmitted to the manufacturer or the manufacturer's agent.

Records for all sales and distribution of dialysate must be retained and readily available for inspection for a period of two years from the date of the transaction.

Source:

General Authority: SDCL 36-11-11(1).

Law Implemented: SDCL 36-11-11(1).

CHAPTER 20:51:28

ADMINISTRATION OF ~~INFLUENZA~~ IMMUNIZATIONS

Section

20:51:28:01 Authority to administer influenza immunizations.

20:51:28:01.01. Authority to administer immunizations.

20:51:28:02 Qualifications for authorization to administer ~~influenza~~ immunizations.

20:51:28:02.01. Qualifications for authorization to administer immunizations for interns.

20:51:28:03 ~~Standards for approval of influenza immunization training programs~~ Repealed.

20:51:28:04 Training program requirements.

20:51:28:05 Record keeping and reporting requirements.

20:51:28:06 Confidentiality of records maintained.

20:51:28:07 Renewal of authorization to administer **influenza** immunizations.

20:51:28:01. Authority to administer influenza immunizations. A pharmacist may administer influenza immunizations to eligible patients ~~eighteen~~ **18** years of age and older if the pharmacist ~~has met~~ **meets** the qualifications set forth ~~by~~ **in** this chapter and has been granted authorization by the board. ~~The board may issue a certificate authorizing this function to the pharmacist who meets the qualifications established in § 20:51:28:02. The authority to administer influenza immunizations is valid only for the pharmacist meeting this requirement and may not be delegated to any other pharmacist or employee.~~

Source: 29 SDR 37, effective September 26, 2002.

General Authority: SDCL 36-11-11~~(1)~~, 36-11-19.1.

Law Implemented: SDCL 36-11-19.1.

20:51:28:01.01. Authority to administer immunizations. A pharmacist may administer immunizations by prescription drug order signed by a practitioner or by protocol signed by a physician if the pharmacist meets the criteria set forth in § 20:51:28:02 and is authorized by the board.

Source:

General Authority: SDCL 36-11-11(1), 36-11-19.1.

Law Implemented: SDCL 36-11-19.1.

20:51:28:02. Qualifications for authorization to administer **influenza immunizations.**

The board may ~~issue a certificate authorizing the administration of influenza immunizations to~~ **authorize** a pharmacist ~~that meets the following qualifications who:~~

- (1) ~~Active licensure~~ Is licensed to practice pharmacy in this state;
- (2) ~~Successful completion of~~ Has completed an approved training program ~~as outlined in this chapter~~; and
- (3) ~~Active certification~~ Is certified in ~~basic~~ cardiopulmonary resuscitation.

Source: 29 SDR 37, effective September 26, 2002.

General Authority: SDCL 36-11-11~~(1)~~, 36-11-19.1.

Law Implemented: SDCL 36-11-19.1.

20:51:28:02.01. Qualifications for interns to administer immunizations. A pharmacy intern may administer immunizations in a pharmacy if the intern:

- (1) Is registered as a pharmacy intern in this state;
- (2) Has successfully completed an approved training program;
- (3) Is certified in cardiopulmonary resuscitation; and
- (4) Is directly supervised by a pharmacist who has a current authorization to administer immunizations in this state.

Source:

General Authority: SDCL 36-11-11(1), 36-11-19.1, 36-11-25

Law Implemented: SDCL 36-11-19.1, 36-11-25

20:51:28:03. Standards for approval of influenza immunization training programs. ~~An institution desiring to offer a training program for administration of influenza immunizations must submit an application for approval to the board. The board may grant approval to an applicant training program upon proof that the training program meets the following requirements:~~

- ~~(1) The training program is based on the course requirements outlined in § 20:51:28:04;~~

~~(2) The training program is offered in an institution accredited by the American Council on Pharmaceutical Education;~~

~~(3) A completion certificate is awarded to a pharmacist who has successfully completed the training program. The certificate must include the name and location of the institution, the date of completion, the full name of the person who completed the program, the signature of the faculty member in charge of the course, and the date the certificate was awarded; and~~

~~(4) Records are maintained which include documentation of the following:~~

~~(a) Each person enrolled in the program, including documentation of performance and the date the person failed or completed the program;~~

~~(b) Each faculty member teaching the program, including qualifications;~~

~~(c) The course of study; and~~

~~(d) A list of graduates of the program who were awarded certificates and the date of the awards.~~

~~The applicant must submit an evaluation of the program standards for compliance with this section to the board every two years in order to maintain ongoing approval Repealed.~~

Source: 29 SDR 37, effective September 26, 2002.

General Authority: ~~SDCL 36-11-11, 36-11-19.1.~~

Law Implemented: ~~SDCL 36-11-19.1.~~

20:51:28:04. Training program requirements. The training program for administration of ~~influenza~~ immunizations must include the following course of study:

(1) Basic immunology and the human immune response;

(2) Mechanics of immunity, adverse effects, dose, and administration schedule of available vaccines;

(3) Response to an emergency situation as a result of the administration of an immunization;

(4) Administration of ~~intramuscular~~ injections; and

(5) Record keeping and reporting requirements as set forth ~~by~~ in § 20:51:28:05.

Any training program must be accredited by the Accreditation Council for Pharmacy Education and must provide a certificate to a pharmacist or intern who has successfully completed the training program.

Source: 29 SDR 37, effective September 26, 2002.

General Authority: SDCL 36-11-11~~(1)~~, 36-11-19.1.

Law Implemented: SDCL 36-11-19.1.

20:51:28:05. Record keeping and reporting requirements. A pharmacist ~~granted authorization~~ authorized under this chapter to administer ~~influenza~~ immunizations shall maintain ~~the following documentation~~ in the pharmacy ~~regarding each immunization,~~ administered for a minimum of five years:

(1) The name, address, and date of birth of ~~the~~ each patient ~~who received an immunization;~~

(2) The date of administration and site of ~~injections~~ the injection;

(3) The name, dose, manufacturer's lot number, and expiration date of the vaccine;

(4) The name and address of the patient's primary health care practitioner, as identified by the patient;

(5) The name of the ~~pharmacist~~ person administering the immunization;

(6) ~~The date that the written report was sent to the patient's primary health care provider;~~

~~(7) Consultation~~ A record of any consultation or other professional information provided to the patient; and

~~(8)(7)~~ The name and date of the ~~vaccine information sheet~~ Vaccine Information Sheet provided to the patient.

The ~~pharmacist~~ pharmacy must ~~provide a written~~ report all administrations of immunizations to the ~~patient's primary health care provider of the above information~~ South Dakota Immunization Information System within 14 days of the immunization. The required records as set forth in this section are open to inspection by the board and must be made available upon the board's request.

Source: 29 SDR 37, effective September 26, 2002.

General Authority: SDCL 36-11-11~~(1)~~, 36-11-19.1.

Law Implemented: SDCL 36-11-19.1.

20:51:28:06. Confidentiality of records maintained. The ~~required~~ records identified in § 20:51:28:05 that include specific patient information are confidential records. Nothing in this section affects the requirements of SDCL 36-11-69 relating to the release of confidential patient information.

Source: 29 SDR 37, effective September 26, 2002.

General Authority: SDCL 36-11-11~~(1)~~, 36-11-19.1.

Law Implemented: SDCL 36-11-19.1, 36-11-69.

20:51:28:07. Renewal of authorization to administer ~~influenza~~ immunizations. The authorization to administer ~~influenza~~ immunizations must be renewed ~~biennially by~~ on or before September 30. ~~Any pharmacists~~ A pharmacist desiring to renew the authorization shall ~~provide~~ attest to the following ~~documentation to the board~~:

(1) ~~Current certification~~ The pharmacist is certified in ~~basic~~ cardiopulmonary resuscitation;
and

(2) ~~Certificate of completion of a minimum of two hours~~ The pharmacist has completed one
hour of continuing education related to immunizations.

The board may audit for compliance with the renewal requirements of this section.

Source: 29 SDR 37, effective September 26, 2002.

General Authority: SDCL 36-11-11~~(1)~~, 36-11-19.1.

Law Implemented: SDCL 36-11-19.1.