



Notice of Proposed Changes in The Regulations of the Alaska Board of Pharmacy

Proposed Regulations - FAQ

October 2023

1. What is the purpose of the proposed regulations? What will this regulation do?

12 AAC 52.010. Classifications of licensure

- The repeal of this section removes the redundancy in regulation.

12 AAC 52.020. Pharmacy license

- Adds requirements to require out of state pharmacies to be licensed, rather than registered, in Alaska, per HB 112.
- Licensing of out of state pharmacies will allow for better oversight of out of state pharmacies sending drugs and medical devices to Alaskans, while ensuring that out of state pharmacies that serve Alaskans are operating according to the Alaska statutes and regulations.
- Removes language referring to registration to bring the language into compliance with HB 112.

12 AAC 52.070. Application for pharmacist license by examination

- Removes the requirement of pharmacist applicants to submit two affidavits of good moral character.
- Removes an unnecessary barrier for applicants. Brings regulations into compliance with HB 112.

12 AAC 52.075. Good moral character

- Repealed to ensure compliance with HB 112 which removes redundant intent from statutes and regulations.

12 AAC 52.095. Application for pharmacist license by reciprocity

- Removes the requirement for two affidavits of good moral character to be submitted, per HB 112.
- Adds a requirement that clarifies that pharmacists are required to have been actively practicing for one year prior to applying through reciprocity. This clarification will make the licensing process more efficient.

12 AAC 52.120. Review of pharmacist intern license application

- This change is to clarify language that is commonly misunderstood by licensees wanting to extend their pharmacist intern practice time. This will clarify that pharmacist interns are required to apply for a new pharmacist intern license application if their license has expired.
- This clarification will assist college pharmacy programs, intern programs, and licensees to better understand the requirements to prolong pharmacist intern time.

12 AAC 52.130. Registration of pharmacies located outside of the state

- This section is required to be repealed per the changes in HB 112.
- Removes language referring to registration. Registration is no longer acceptable for pharmacies located out of the state. Licensure is now required.
- Licensing of out of state pharmacies will allow for better oversight of out of state pharmacies sending drugs and medical devices to Alaskans, while ensuring that out of state pharmacies that serve Alaskans are operating according to the Alaska statutes and regulations.

12 AAC 52.140. Pharmacy technician license

- Updates requirements to allow Alaskans aged 16 to 18 to become licensed as pharmacy technicians, if they meet certain requirements.
- This change will allow more Alaskans to become licensed as pharmacy technicians, which will allow them to gain training and experience, and to begin a career in the field at a younger age.

12 AAC 52.200. Pharmacist-in-charge

- This section is required to be repealed per the changes in HB 112.
- Removes language referring to registration. Registration is no longer acceptable for pharmacies located out of the state. Licensure is now required.
- Licensing of out of state pharmacies will allow for better oversight of out of state pharmacies sending drugs and medical devices to Alaskans, while ensuring that out of state pharmacies that serve Alaskans are operating according to the Alaska statutes and regulations.

12 AAC 52.205. General standards of pharmacy practice

- This added regulation will bring the regulations into alignment with standards of pharmacy practice throughout the United States of America.
- This addition helps ensure licensees and facilities are practicing according to industry accepted standards of practice, which will shore up efforts across statewide entities focusing on public health and safety in Alaska.

12 AAC 52.240. Pharmacist collaborative practice authority

- This regulation repeals ensures pharmacists licensed in Alaska can provide patient care during medication assisted treatment for substance use disorders, which will bring this regulation section into alignment with the Mainstreaming Addiction Treatment Act (MAT Act) of 2021.
- The MAT Act directs state level organizations to educate health care practitioners and to encourage integration of substance use disorder treatment into their practices.

12 AAC 52.245. Retired status pharmacist license

- The addition of this regulation creates a retired status pharmacist license in order to be in compliance with HB 112.
- This change will allow pharmacists that have served Alaska to hold a retired license, rather than a license that has expired.

12 AAC 52.300. License and registration renewal

- Removes language referring to registration to bring the language into compliance with HB 112.

12 AAC 52.310. Reinstatement of an expired pharmacist or pharmacy technician license

- Clarifies and streamlines language in this section regarding reinstating a lapsed license.
- Further clarifies the difference between a lapsed license and an expired license and the ability to apply for reinstatement.

12 AAC 52.423. Remote pharmacy license

- Clarifies and streamlines language and requirements regarding the type of license a remote pharmacy must apply for.

12 AAC 52.500. Transfer of a prescription drug order

- Updates language to ensure compliance with 21 CFR 1306 (Code of Federal Regulations).

12 AAC 52.800. Drug room license

- Updated language to remove language referring to proposed repealed section (12 AAC 52.010).

12 AAC 52.857. Change in dispensing or distributing of controlled substances

- This removal of the language referring to registration brings the regulations into compliance with HB 112, which requires out of state pharmacies to be licensed in Alaska, rather than registered.
- Will allow for better oversight of out of state pharmacies sending drugs and medical devices to Alaskans, while ensuring that out of state pharmacies that serve Alaskans are operating according to the Alaska statutes and regulations.

12 AAC 52.865. Reporting and reviewing PDMP information

- Brings regulation into compliance with HB 56.
- Further clarifies that schedule II, III, or IV controlled substances dispensed by a pharmacist must still be entered into the Prescription Drug Monitoring Program (PDMP) on a daily basis, regardless of if the prescription originated with a veterinarian.
- Protects public health and safety from gaps in regulation that could lead to unmonitored controlled substances being misused.
- HB 56 exempts veterinarians from reviewing and reporting controlled substances to the PDMP, however pharmacists are not exempt from this requirement. The addition of this language clarifies this requirement.

12 AAC 52.920. Disciplinary guidelines

- Updates language to bring all regulatory language into alignment with the standard of pharmacy practice. Aligns with the proposed addition of regulation: 12 AAC 52.205.

12 AAC 52.991. Disciplinary decision or conviction reporting requirement

- Clarifies current language. Adds more stringent regulatory requirements to ensure all disciplinary action and/or criminal activity is disclosed to the Board of Pharmacy in a timely manner for all license types.
- These changes will bring the language into alignment with the standards of pharmacy practice throughout the United States of America.

12 AAC 52.992. Administration of vaccines, epinephrine, and related emergency medications

- Regulations amended to ensure compliance with HB 112.
- Streamlines requirements and removes unnecessary language.

12 AAC 52.993. Executive administrator

- Removes language referring to registration to bring the language into compliance with HB 112.

12 AAC 52.995. Definitions

- Provide definitions for “facility”, “Internet-based pharmacy”, “standard of care”.
- “Internet-based pharmacy” definition required to ensure compliance with HB 112.

2. What are the costs to comply with the proposed regulations?

There are no known costs to implement these changes.

3. When will the regulations be effective?

After the public comment deadline, comments received are compiled and given to the Board for consideration. The Board may adopt the regulation as written/publicly noticed, may amend and adopt them, choose to take no action, or may withdraw the proposed regulations in part or in its whole. After Board action, the adopted regulations goes to Department of Law (DOL) for final review/approval. DOL either approves or disapproves regulations. Once approved by DOL, it goes to the Lt. Governor for filing. Regulation takes effect on the 30th day after they have been filed by the Lt. Governor.

Do you have a question that is not answered here? Please email RegulationsAndPublicComment@alaska.gov so it can be added.