

CHANGES MADE AFTER MEETING WITH THE Medical and Osteopathic Boards and Associations are shown in red. Proposed deletions are struck in red with a red line through them. Proposed additions are in red and underlined. JF (Blue are after that)

SUBCHAPTER 9. PHARMACEUTICAL CARE

535:10-9-4. Purpose

(a) The purpose of this Subchapter is to identify standards for the provisions of those acts or services that are necessary to provide pharmaceutical care.

(b) The purpose of this Subchapter shall identify standards and requirement for the provision of collaborative medication therapy, agreements and authorization for an Oklahoma licensed pharmacist by an Oklahoma licensed ~~allopathic or osteopathic~~ physician.

(c) The rules of this Subchapter are authorized under 353.7 and 353.30 (A)

535:10-9-4.1. Definitions

The following words or terms, when used in this Subchapter, shall have the following meaning, unless the context clearly indicates otherwise:

“Collaborative medication therapy management” or **“CMTM”** means the implementation, management, and adjustment of medication therapy of patients by collaborating licensed pharmacists, as authorized by licensed collaborating physicians, through written protocols established pursuant to collaborative medication therapy management agreements.

“Collaborating pharmacist” or **“Collaborating pharmacy”** means an individual pharmacist or group of pharmacists, who upon request shall provide the collaborating physician documentation of current competence in the CMTM area(s) covered by the CMTM agreement, employed by a pharmacy holding a current license from the Board who enters into a collaborative medication therapy management agreement with a collaborating licensed physician for collaborative medication therapy management. Documentation of current competence may include disease state certificate programs, Board approved continuing education, pharmacy residency programs, hospital competency assessments, specialized educational programs, and/or other such documentation of current competence as deemed acceptable by the collaborating physician.

“Collaborating physician” means an individual licensed physician or group of licensed physicians holding current unrestricted license(s) from the Oklahoma State Board of Medical Licensure and Supervision or the Oklahoma State Board of Osteopathic Examiners ~~or a bordering state’s medical licensing board~~ that enter into an agreement with a collaborating pharmacist for collaborative medication therapy management.

“Collaborative medication therapy management agreement” or **“CMTM agreement”** means the official agreement which is a written document in which collaborating physicians and pharmacists voluntarily agree to participate in collaborative medication therapy management.

“Medication therapy management authorization” means a written referral, order or prescription from the collaborating licensed physician to the collaborating licensed pharmacist to initiate collaborative medication therapy management services for an individual patient or patient group.

“Patient authorization” means the patient’s or patient’s authorized representative’s agreement to participate in collaborative medication therapy management.

“Written protocol” means a written document between collaborating licensed physicians and licensed pharmacists establishing directives for decision criteria and outlining functions and procedures for collaborative medication therapy management, e.g. disease or treatment specific protocols.

535:10-9-5. Agreements

(a) Agreements will be allowed between Oklahoma licensed pharmacists and allopathic and osteopathic physicians licensed by the Oklahoma Board of Medical Licensure or the Oklahoma Board of Osteopathic Examiners or bordering states allopathic or osteopathic licensure boards.

(b) A copy of the agreement shall be filed in the pharmacy and be available for review by the Board.

(c) The agreement shall not violate any state or federal law.

535:10-9-6. Reserved Minimum requirements for collaborative medication therapy management agreement(s).

The official agreement between collaborating physician(s) or collaborating pharmacist(s) also called the collaborative medication therapy management (CMTM) agreements shall at a minimum include the:

(1) Names, addresses, telephone numbers, and emergency contact numbers of both the collaborating physician(s) and pharmacist(s);

- (2) Date and signature(s) of the collaborating physician(s) or authorized agent of a physician group and the pharmacist(s), pharmacist-in-charge, or Director of Pharmacy who will directly participate in the collaborative medication therapy management;
- (3) Physician approved written protocol(s) which describes the specific **disease state and medication therapy management** activities to be performed.
- (4) Procedure for the pharmacist to obtain **patient authorization the patient's or the patient's agent's agreement** for collaborative medication therapy management;
- (5) Procedure for documenting and reporting medication therapy management activities by the collaborating pharmacist to the collaborating physician. The collaborating physician must be **kept** informed of the status of the patient being managed by the collaborating pharmacist **each time patient care is given under the CMTM written protocol according to the written protocol**;
- (6) Procedure for notification of the physician in the event of an emergent medical situation;
- (7) Provision requiring compliance to the current HIPAA law standard;
- (8) Provision limiting the duration of the agreement for a period of time not to exceed one year, unless the agreement is subject to annual review and mutual continuance, as evidenced by documentation; and,
- (9) Such collaborative medication therapy management agreement only comes into force, or can be acted on when the collaborating physician writes a prescription or order.

535:10-9-7. Reserved Collaborative medication therapy management process

Collaborative medication therapy management process shall include those acts necessary for pharmaceutical care including, but not limited to:

- (1) Obtaining and assessing relevant patient medical histories;
- (2) Obtaining and/or performing medication related patient measurements and assessments, e.g. vital signs, height, weight, pulse, blood pressure;
- (3) Ordering and evaluating the results of any laboratory test related to medication therapy when performed in accordance with the written protocols;
- (4) Initiating or modifying an individual patient's medication therapy and medication administration as permitted by the collaborating physician in the written protocol;
- (5) Providing education to the patient or patient's authorized representative regarding medication therapy management activities; and,
- (6) Documentation of and communication to the collaborating physician of medication therapy management activities.

535:10-9-8. Reserved Collaborative medication therapy management authorization requirement.

The collaborating licensed physician shall write the official written **referral**, order or prescription for a pharmacist or group of pharmacists to initiate collaborative medication therapy management services. The physician **referral**, authorization, order or prescription will, at a minimum, include the following:

- (1) Specification of the individual patient or patient population for which the collaborative medication therapy management agreement applies.
- (2) Acknowledgement and approval of the written protocol verified by the signature of the collaborating physician.

535:10-9-12. Unauthorized practice

(a) A collaborating pharmacist shall not practice beyond the scope of the collaborative medication therapy agreement, the written protocol, and the Oklahoma Pharmacy Act.

(b) Unauthorized practice by a collaborating pharmacist will be subject to violations and penalties as defined in the Oklahoma laws governing the practice of pharmacy, the Oklahoma Pharmacy Act, and the rules of the Board of Pharmacy.

(c) Physicians will be subject to violations and penalties as defined in the Oklahoma laws and rules governing the practice of medicine.