BEFORE THE BOARD OF PHARMACY
DEPARTMENT OF LABOR AND INDUSTRY
STATE OF MONTANA

In the matter of the amendment of ARM 24.174.301 definitions, 24.174.524 collaborative practice agreement requirements, 24.174.835 transfer of prescriptions, 24.174.1111 drug distribution and control in an institutional or correctional facility, 24.174.1114 use of drug kits in certain institutional facilities, 24.174.1412 additions, deletions, and rescheduling of dangerous drugs, 24.174.2106 registered pharmacist continuing education–approved programs, and the repeal of 24.174.1115 use of contingency kits in certain institutional facilities	)))))))))))))	NOTICE OF AMENDMENT AND REPEAL

TO: All Concerned Persons

1. On August 27, 2021, the Board of Pharmacy published MAR Notice No. 24-174-74 regarding the public hearing on the proposed amendment and repeal of the above-stated rules, at page 1026 of the 2021 Montana Administrative Register, Issue No. 16.

2. On September 16, 2021, a public hearing was held on the proposed amendment and repeal of the above-stated rules via the videoconference and telephonic platform. Four comments were received by the September 24, 2021, deadline.

3. The board has thoroughly considered the comments received. A summary of the comments and the board responses are as follows:

COMMENT 1: Numerous commenters supported the amendments to the collaborative practice agreement requirements in ARM 24.174.524 because the proposed changes align the rule with current national recommendations and clarify previously unclear language.

RESPONSE 1: The board appreciates all comments received during the rulemaking process.

COMMENT 2: Several commenters expressed support for the revisions to drug kits, ARM 24.174.1114, and amendments reflecting ongoing discussions and input between the board and stakeholders.

RESPONSE 2: The board appreciates all comments received during the rulemaking process.

COMMENT 3: Several commenters supported the amendments to ARM 24.174.1412 to align with multiple drug scheduling changes made by the U.S. Drug Enforcement Administration, including the removal of Epidiolex, an FDA-approved cannabidiol drug, from Schedule V and the corresponding removal of barriers for patients.

RESPONSE 3: The board appreciates all comments received during the rulemaking process.

COMMENT 4: Several commenters supported the revisions to continuing education approved programs for pharmacists in ARM 24.174.2106, and supported the process being simplified for organizations providing continuing education.

RESPONSE 4: The board appreciates all comments received during the rulemaking process.

4. The board has amended ARM 24.174.301, 24.174.524, 24.174.835, 24.174.1111, 24.174.1114, 24.174.1412, and 24.174.2106 exactly as proposed.

5. The board has repealed ARM 24.174.1115 exactly as proposed.

BOARD OF PHARMACY
TONY KING, RPh
PRESIDENT

/s/ DARCEE L. MOE
Darcee L. Moe
Rule Reviewer

/s/ LAURIE ESAU
Laurie Esau, Commissioner
DEPARTMENT OF LABOR AND INDUSTRY

Certified to the Secretary of State November 9, 2021.