

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 SENATE BILL 907

By: Rosino

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5
6 AS INTRODUCED

7 An Act relating to the practice of pharmacy; defining
8 terms; authorizing product fulfillment through
9 central fill pharmacies under certain conditions;
10 listing powers and duties of pharmacist-in-charge;
11 providing certain limitations on filling of
12 prescriptions; requiring certain patient notification
13 by originating pharmacy; requiring provision of
14 certain information to patients; providing exception;
15 imposing certain duties on central fill pharmacy;
16 requiring maintenance of certain policy and procedure
17 manual; specifying certain product verification
18 responsibilities; requiring certain maintenance of
19 records; requiring certain application and fee;
20 authorizing certain shared services; requiring
21 licensure; specifying qualifications for shared
22 services; imposing certain requirements on retail
23 pharmacy engaged in shared services; providing for
24 codification; and providing an effective date.

18 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

19 SECTION 1. NEW LAW A new section of law to be codified
20 in the Oklahoma Statutes as Section 353.31 of Title 59, unless there
21 is created a duplication in numbering, reads as follows:

22 A. As used in this section:
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1 1. "Central fill" means the filling of a prescription drug
2 order by a central fill pharmacy licensed by the State Board of
3 Pharmacy at the request of an originating pharmacy;

4 2. "Central fill pharmacy" means a licensed resident or non-
5 resident pharmacy facility that, upon the request of an originating
6 pharmacy, performs the product fulfillment of the drug order and
7 returns the filled prescription to the originating pharmacy for
8 delivery to the patient or patient's agent or sends it directly to
9 the patient for non-controlled substances. A central fill pharmacy
10 that returns filled prescriptions to an originating pharmacy shall
11 not be required to obtain a wholesale distributor license; and

12 3. "Originating pharmacy" means a pharmacy located in this
13 state or out-of-state that is licensed or permitted by the state in
14 which it is located and, upon receipt of a prescription drug order,
15 requests a central fill pharmacy to perform the product fulfillment
16 of the order and upon receipt of the filled prescription drug order,
17 delivers the prescription to the patient or patient's agent.

18 B. 1. An originating pharmacy may engage in product
19 fulfillment with a central fill pharmacy if the pharmacies:

- 20 a. have the same owner or have entered into a written
21 contract or agreement that outlines the services to be
22 provided and the responsibilities and accountabilities
23 of each pharmacy in compliance with federal and state
24 laws and regulations,

- b. share a common electronic file or have appropriate technology to allow access to sufficient information necessary or required to dispense or process a prescription drug order,
- c. ensure all state and federal laws regarding patient confidentiality, network security, and use of shared databases are followed, and
- d. maintain the prescription information in a readily retrievable manner.

2. The pharmacist-in-charge of a central fill pharmacy:

- a. shall ensure that the pharmacy maintains and uses adequate storage or shipment containers and shipping processes to ensure drug stability and potency. Such shipping processes shall include the use of appropriate packaging material or devices, or both, to ensure that the drug is maintained at an appropriate temperature range to maintain the integrity of the medication throughout the delivery process,
- b. shall ensure that the filled prescriptions are shipped in containers that are sealed in a manner that would show evidence of having been opened or tampered with, and
- c. may employ auxiliary supportive personnel to assist in non-dispensing functions such as inventory, delivery,

1 receiving, or packing of completed prescription
2 orders.

3 3. Controlled substance prescriptions filled by a central fill
4 pharmacy shall comply with both state and federal laws and
5 regulations.

6 4. To the extent a pharmacy is acting as a central fill
7 pharmacy, the pharmacy shall not fill prescriptions provided
8 directly by a patient or an individual practitioner.

9 C. 1. An originating pharmacy that engages in prescription
10 filling by a central fill pharmacy shall, prior to the dispensing of
11 the prescription:

12 a. notify patients that their prescription may be filled
13 by another pharmacy, and

14 b. provide the name of that pharmacy or notify the
15 patient if the pharmacy is part of a network of
16 pharmacies under common ownership and that any of the
17 network pharmacies may fill the prescription.

18 2. Patient notification may be provided through a one-time
19 written notice to the patient or through use of a sign in the
20 pharmacy.

21 D. 1. A central fill pharmacy that delivers prescriptions
22 directly to a patient shall provide written information regarding
23 the prescription with the filled prescription.

1 2. A pharmacist at the originating pharmacy shall offer the
2 patient or the patient's agent information about the prescription
3 drug or device in accordance with Board rules.

4 3. This subsection shall not apply to patients in facilities
5 including, but not limited to, hospitals or nursing facilities,
6 where drugs are administered to patients by a person authorized to
7 do so by law.

8 E. The central fill pharmacy shall:

9 1. Place on the prescription label:

10 a. the name and address of the originating pharmacy which
11 receives the filled prescription for delivery to the
12 patient or the patient's agent, and

13 b. in some manner indicate which pharmacy filled the
14 prescription;

15 2. Comply with all other labeling requirements of federal and
16 state law; and

17 3. Be exempt from signage requirements intended for patients.

18 F. A central fill policy and procedure manual shall be
19 maintained at both pharmacies and shall be available for inspection.

20 The originating and central fill pharmacies shall maintain only
21 those portions of the policy and procedure manual that relate to
22 that pharmacy's operations. The manual shall at minimum contain:

23 1. An outline of the responsibilities of the central fill
24 pharmacy and the originating pharmacy including, but not limited to:

- a. confidentiality and integrity of patient information procedures,
- b. drug utilization review,
- c. counseling responsibilities,
- d. policies for operating a continuous quality improvement program for pharmacy services designed to objectively and systematically monitor and evaluate the quality and appropriateness of patient care, pursue opportunities to improve patient care, and resolve identified problems,
- e. safe delivery of prescriptions to patients,
- f. requirements for storage and shipment of prescription medication, and
- g. procedures for conducting an annual review of written policies and procedures and for documentation of this review; and

2. Other responsibilities regarding proper handling of a prescription and delivery to a patient or a patient's agent pursuant to federal and state controlled substances laws and regulations.

G. The pharmacist product verification responsibilities provided by paragraph 2 of subsection B of this section shall be deemed satisfied if:

1. The pharmacy establishes and follows a policy and procedure manual that complies with subsection F of this section; or

1 2. The pharmacy uses an automated system, the system is fully
2 automated from the time the medication is stocked into the machine
3 until a completed, labeled, and sealed prescription is produced by
4 the system that is ready for dispensing to the patient. No manual
5 intervention with the medication may occur after the medication is
6 stocked into the system. For purposes of this paragraph, manual
7 intervention shall not include preparing a finished prescription for
8 mailing, delivery, or storage.

9 H. 1. Records may be maintained in an alternative data
10 retention system including, but not limited to, a data processing
11 system or direct imaging system, if:

- 12 a. the records maintained in the alternative system
13 contain all of the information required on the manual
14 record, and
- 15 b. the data processing system is capable of producing a
16 hard copy of the record upon the request of the Board,
17 its representative, or other authorized local, state,
18 or federal law enforcement or regulatory agency.

19 2. Each pharmacy shall maintain records in accordance with
20 federal and state laws and regulations and shall be able to produce
21 records as requested by the Board.

22 3. The originating pharmacy records shall include the date the
23 request for filling was transmitted to the central fill pharmacy.

24 4. The central fill pharmacy records shall include:
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- 1 a. the date the filled prescription was mailed or
2 delivered by the central fill pharmacy to the
3 originating pharmacy, and
4 b. if mailed or delivered to a patient, the name and
5 address to which the filled prescription was shipped.

6 I. A central fill pharmacy shall complete a pharmacy permit
7 application provided by the Board and shall:

- 8 1. Provide the name of the owner, permit holder, and
9 pharmacist-in-charge of the pharmacy for service of process; and
10 2. Pay the required fee as set by the Board through rule.

11 The Board shall develop and implement a central fill permit and
12 application under the authority granted by Section 353.18 of Title
13 59 of the Oklahoma Statutes.

14 SECTION 2. NEW LAW A new section of law to be codified
15 in the Oklahoma Statutes as Section 353.32 of Title 59, unless there
16 is created a duplication in numbering, reads as follows:

17 A. A pharmacy may engage in shared services with another
18 pharmacy in accordance with this section and rules promulgated by
19 the State Board of Pharmacy including data entry, interpretation of
20 a prescription or drug order, data entry verification, drug
21 utilization review, product verification, centralized fulfillment
22 under Section 1 of this act, or, when necessary, therapeutic
23 intervention.

1 B. Before participating in shared services, a pharmacy shall
2 have a current Board issued resident or non-resident retail pharmacy
3 license.

4 C. A pharmacy may provide or utilize shared services functions
5 only if the pharmacies involved:

6 1. Either:

7 a. have the same owner, or

8 b. have a written contract or agreement that outlines the
9 services provided and the shared responsibilities of
10 each party in complying with federal and state
11 pharmacy laws and rules; and

12 2. Share a common electronic file or technology that allows
13 access to information necessary or required to perform shared
14 services in conformance with the Oklahoma Pharmacy Act and rules of
15 the Board.

16 D. A licensed retail pharmacy engaged in shared services shall:

17 1. Maintain manual or electronic records that identify,
18 individually for each order processed, the name, initials, or
19 identification code of each pharmacist, intern, and pharmacy
20 technician who took part, as authorized by rules of the Board, in
21 the data entry, prescription or order interpretation, data entry
22 verification, drug utilization review, product verification,
23 centralized fulfillment, or necessary therapeutic intervention
24 performed at that pharmacy;

1 2. Report to the Board as soon as practical the results of any
2 disciplinary action taken by another state's pharmacy regulatory
3 agency involving shared services;

4 3. Provide adequate security to protect the confidentiality and
5 integrity of patient information; and

6 4. Provide access for inspection of any required record or
7 information of any request by the Board or its designee.

8 SECTION 3. This act shall become effective November 1, 2025.

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