

6800.0910 PATIENT ACCESS TO PHARMACIST.

Subpart 1. **Patient consultation procedure required.** Each licensed pharmacy in Minnesota required to provide patient counseling under this part must develop and maintain a written patient consultation procedure providing for direct oral communication between the patient and the pharmacist designed to improve the patient's understanding of and compliance with the patient's drug therapy to enhance or optimize the outcome of the patient's drug therapy.

Subp. 2. **Description of procedure.** When dispensing a filled prescription for a patient, a pharmacist must consult with the patient or the patient's agent or caregiver and inquire about the patient's understanding of the use of the drug according to this part.

A. Upon receipt of a new prescription, following a review of the patient's record, a pharmacist shall personally initiate discussion of matters which in the professional judgment of the pharmacist will enhance or optimize drug therapy with each patient or the agent or caregiver of the patient. The discussion shall be in person, whenever applicable, may be supplemented with written material, and shall include appropriate elements of patient counseling. These elements include the following:

- (1) the name and description of the drug;
- (2) the dosage form, dose, route of administration, and duration of drug therapy;
- (3) intended use of the drug and expected action;
- (4) special directions and precautions for preparation, administration, and use by the patient;
- (5) common severe side effects, adverse effects, or interactions and therapeutic contraindications that may be encountered, including their avoidance, and the action required if they occur;
- (6) techniques for self-monitoring of drug therapy;
- (7) proper storage;
- (8) prescription refill information;
- (9) action to be taken in the event of a missed dose; and
- (10) pharmacist comments relevant to the patient's drug therapy, including any other information peculiar to the specific patient or drug.

B. The pharmacist must counsel the patient on a refilled prescription if deemed necessary according to the pharmacist's professional judgment. The consultation must be in person whenever applicable.

A pharmacist may vary or omit the patient information if, in the pharmacist's professional judgment, the variation or omission serves the best interest of the patient because of the particular individual circumstances involved. If there is any material variation from the minimal information required by this subpart in the information provided or, if consultation is not provided, that fact and the circumstances involved shall be noted on the prescription, in the patient's records, or in a specially developed log.

Personal communication by the pharmacist is not required for inpatients of a hospital or other institution, such as a licensed nursing home, where other licensed health care professionals are authorized to administer the drugs, or where a patient or patient's agent or caregiver has expressed a desire not to receive the consultation. When a new filled prescription or a refilled prescription for which counseling is required is being mailed or delivered to the patient by common carrier or delivery services, the consultation must still be provided but may be accomplished by providing written information to the patient regarding the medication being dispensed and the availability of the pharmacist to answer questions, and through the provision of a toll-free phone number for long distance calls.

Nothing in this part shall prohibit pharmacists from charging for these services.

Statutory Authority: *MS s 151.06; 152.02*

History: *18 SR 1145; 27 SR 260; 31 SR 1673; 36 SR 237*

Published Electronically: *September 21, 2011*