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EMERGENCY DISPENSING DECLARATION

Pursuant to Pharmacy Act 61-11-6 A. (20), and 61-11-6 B. (3) the Board approves the following:

A. In an emergency where a pharmacy or pharmacies can not operate for such period of time that interferes with the continuation of patient therapies, the Board authorizes the executive director at his discretion to implement procedures to allow patients of the closed pharmacies access to needed medications.

Patients adversely affected by the closed pharmacies may visit any New Mexico licensed pharmacy with documentation of the current prescription medications they need dispensed to continue their therapy. This documentation may be prescription containers properly labeled with the prescriber name and address, pharmacy name, drug name, strength, quantity and directions for use. A consumer medication information sheet with the necessary information including directions for use may also be used.

If a pharmacist can not contact a pharmacy closed due to emergency and can not contact the prescribing practitioner of a patient's therapy, the Board authorizes the pharmacist to dispense the medication with the following restrictions:

1. No controlled substance medications will be dispensed.
2. The pharmacist makes a new prescription from the information provided.
3. The prescription is dispensed only one time with no refills.
4. The pharmacist will notify the originating pharmacy and/or prescriber of the dispensing as soon as practical. Notification may be by phone, e-mail, fax or mail.
5. The pharmacist will maintain documentation of the pharmacy and/or prescriber notifications and attempts to notify.

B. In an emergency involving a facility or facilities other than pharmacies, where medications are maintained and/or distributed, the Board authorizes the executive director at his discretion to:

1. Approve a temporary new relocation site when the licensed location can not be utilized because of natural disasters, contamination, loss of ability to maintain drug storage conditions, or other unforeseen occurrences.

Alcohol and Gaming Division
(505) 476-4875

Boards and Commissions Division
(505) 476-4600

Construction Industries Division
(505) 476-4700

Financial Institutions Division
(505) 476-4885

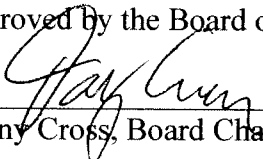
Manufactured Housing Division
(505) 476-4770

Securities Division
(505) 476-4580

Administrative Services Division
(505) 476-4800

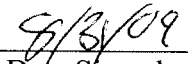
2. Approve a temporary new site for the proper storage and/or dispensing or distribution of medications. This could include mobile pharmacies for disaster relief, central warehouse storing of medications for distribution to clinics, hospitals, and pharmacies, or centralized drug storage of state owned drug assets for delivery to temporary distribution sites.
- C. In an emergency involving licensed personnel where decreased staffing of facilities and pharmacies adversely effects patient care, the Board authorizes the executive director at his discretion to:
1. Temporarily alter the pharmacist to technician ratio of a pharmacy.
 2. Allow technician access to a retail pharmacy and be supervised remotely utilizing appropriate remote tele-pharmacy technologies.
 3. Approve out-of-state licensed pharmacists and/or technicians temporary licensure to work in New Mexico facilities for the emergency period.
- D. In the event the executive director of the board is physically unable to perform his/her duties during an emergency, the board authorizes the senior drug inspector to act in his/her stead.

Approved by the Board of Pharmacy



Danny Cross, Board Chairman

August 24, 2009



Date Signed