

## CHAPTER 151

## PHARMACY

151.01 Definitions.  
151.06 Powers and duties.

151.37 Legend drugs, who may prescribe, possess.

**151.01 DEFINITIONS.**

*[For text of subds 1 to 26, see M.S.2002]*

Subd. 27. **Practice of pharmacy.** "Practice of pharmacy" means:

- (1) interpretation and evaluation of prescription drug orders;
- (2) compounding, labeling, and dispensing drugs and devices (except labeling by a manufacturer or packager of nonprescription drugs or commercially packaged legend drugs and devices);
- (3) participation in clinical interpretations and monitoring of drug therapy for assurance of safe and effective use of drugs;
- (4) participation in drug and therapeutic device selection; drug administration for first dosage and medical emergencies; drug regimen reviews; and drug or drug-related research;
- (5) participation in administration of influenza and pneumococcal vaccine to individuals over 18 years of age under standing orders from a physician licensed under chapter 147 or by written protocol with a physician provided that:
  - (i) the pharmacist is trained in a program approved by the American Council of Pharmaceutical Education for the administration of immunizations or graduated from a college of pharmacy in 2001 or thereafter; and
  - (ii) the pharmacist reports the administration of the immunization to the patient's primary physician or clinic;
- (6) participation in the practice of managing drug therapy and modifying drug therapy, according to section 151.21, subdivision 1, on a case-by-case basis according to a written protocol between the specific pharmacist and the individual dentist, optometrist, physician, podiatrist, or veterinarian who is responsible for the patient's care and authorized to independently prescribe drugs. Any significant changes in drug therapy must be reported by the pharmacist to the patient's medical record;
- (7) participation in the storage of drugs and the maintenance of records;
- (8) responsibility for participation in patient counseling on therapeutic values, content, hazards, and uses of drugs and devices; and
- (9) offering or performing those acts, services, operations, or transactions necessary in the conduct, operation, management, and control of a pharmacy.

*[For text of subds 28 to 30, see M.S.2002]*

**History:** 2003 c 118 s 18

**151.06 POWERS AND DUTIES.**

*[For text of subds 1 to 4, see M.S.2002]*

Subd. 5. **Costs; penalties.** The board may impose a civil penalty not exceeding \$10,000 for each separate violation, the amount of the civil penalty to be fixed so as to deprive a licensee or registrant of any economic advantage gained by reason of the violation, to discourage similar violations by the licensee or registrant or any other licensee or registrant, or to reimburse the board for the cost of the investigation and proceeding, including, but not limited to, fees paid for services provided by the Office of Administrative Hearings, legal and investigative services provided by the Office of the Attorney General, court reporters, witnesses, reproduction of records, board

members' per diem compensation, board staff time, and travel costs and expenses incurred by board staff and board members.

**History:** 2003 c 66 s 8

**151.37 LEGEND DRUGS, WHO MAY PRESCRIBE, POSSESS.**

*[For text of subs 1 to 10, see M.S.2002]*

Subd. 11. **Complaint reporting.** The Board of Pharmacy shall report on a quarterly basis to the Board of Optometry any complaints received regarding the prescription or administration of legend drugs under section 148.576.

**History:** 2003 c 62 s 7