

247 CMR: BOARD OF REGISTRATION IN PHARMACY

247 CMR 4.00: PERSONAL REGISTRATION RENEWAL; CONTINUING EDUCATION REQUIREMENT

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4.01: Authority and Purpose

Board regulations at 247 CMR 4.00 are promulgated under the authority of M.G.L. c. 112, §§ 24A and 42A, and are designed to maintain pharmacists' professional competencies and to promote the highest standards of professional practice.

4.02: Personal Registration Expiration and Renewal

- (1) All personal registrations shall expire on December 31st of each even-numbered year and shall be renewed prior to January 1st of the following year if the registrant intends to continue his or her practice of pharmacy.
- (2) A registrant who has not renewed his or her personal registration before the date of its expiration may renew such registration upon payment of an annual license fee, applicable back license fees, and a late fee as established by the Commissioner of Administration and Finance under M.G.L. c. 7, § 3B.
- (3) Any practice of pharmacy by a registrant after the expiration of his or her personal registration shall constitute the unlicensed practice of pharmacy and shall be subject to any and all penalties established for such unlicensed practice of pharmacy.
- (4) An applicant who has failed to renew his or her personal registration for a period of more than 60 days, and whose personal registration has not been suspended or revoked by the Board, may apply for a renewal of personal registration upon satisfying conditions imposed by the Board, which may include the completion of additional contact hours of continuing education.
- (5) An applicant for personal registration renewal who has failed to renew his or her personal registration for more than two years, and whose personal registration has not been suspended or revoked by the Board, shall take and pass the Multistate Pharmacy Jurisprudence Examination and meet all other conditions as determined by the Board as a prerequisite to registration renewal.
- (6) An applicant for personal registration renewal whose personal registration has been revoked or has been suspended for between six months and two years shall take and pass the Multistate Pharmacy Jurisprudence Examination and meet all conditions as determined by the Board as a prerequisite to registration renewal.
- (7) An applicant for personal registration renewal whose personal registration has been revoked or suspended for more than two years shall take and pass the Multistate Pharmacy Jurisprudence Examination and meet all other conditions as determined by the Board, which may include taking and passing the NAPLEX, as a prerequisite to registration renewal.
- (8) Pursuant to M.G.L. ch. 112, § 1(c), the personal registration of a registrant who is engaged in active service in the armed forces remains valid until 90 days following the release of the registrant from active duty. The continuing education requirement in section 4.03 shall not apply to the biennial cycle immediately preceding December 31st of an even-numbered year if the registrant is engaged in active service after October 1st of that even-numbered year.

4.03: Continuing Education Requirement

- (1) As set forth by M.G.L. c. 112, § 24A, each registered pharmacist seeking personal registration renewal shall complete continuing education as a condition precedent to such renewal.
- (2) No registrant shall be eligible for renewal of a personal registration without completion of the requisite number of contact hours of continuing education for such renewal.
- (3) A registrant seeking renewal of a personal registration shall submit to the Board with a renewal application a statement, signed under the penalties of perjury, that the applicant has satisfactorily completed a minimum of forty (40) contact hours of continuing education required for such renewal.
- (4) Effective for the renewal period beginning January 1, 2015, a registrant seeking renewal of a personal registration must complete a minimum of twenty (20) contact hours of continuing education each calendar year of the two-year renewal cycle.
 - (a) All registrants must complete at least two contact hours per calendar year in the area of pharmacy law;
 - (b) No more than fifteen (15) contact hours per calendar year acquired through home study and other mediated instruction may be applied toward the minimum of 20 contact hours per calendar year;
 - (c) A registrant who oversees or is directly engaged in the practice of sterile compounding or who practices in a pharmacy licensed pursuant to M.G.L. c. 112, § 39G or 39I, must complete at least five (5) contact hours per calendar year of continuing education in the area of sterile compounding.
 - (d) A registrant who oversees or is directly engaged in the practice of complex non-sterile compounding or who practices in a pharmacy licensed pursuant to M.G.L. c. 112, § 39H must complete at least three (3) contact hours per calendar year of continuing education in the area of complex non-sterile compounding.
- (5) Contact hours of continuing education may not be carried over from one calendar year to another.
- (6) Notwithstanding any other provisions of 247 CMR 4.03, in the event of extenuating circumstances an applicant for renewal of personal registration who has failed to complete the requisite number of contact hours of continuing education, or is unable because of a physical disability to conform to the limitation on the number of contact hours acquired through home study and other mediated instruction, shall submit to the Board a detailed statement, signed under the penalties of perjury, setting forth with detail and specificity such extenuating circumstances. In such case, the Board shall determine whether or not a renewal shall be granted. The Board shall notify the applicant of the Board's determination and its reasons therefore.
- (7) A registrant may not earn more than eight contact hours of continuing education in a calendar day.
- (8) A registrant shall not be required to complete continuing education in the calendar year in which the registrant has graduated from an approved college/school of pharmacy.

4.04: Board Approval of Continuing Pharmacy Education

- (1) The Board may accept requests from providers for authorization to sponsor continuing pharmacy education programs. The Board may authorize the Executive Director, or the Executive Director's designee, to grant or deny requests for provider authorization and program approval based on Board approved criteria, provided that any denial may be reviewed by the full Board review as provided by 247 CMR 4.04(4).
- (2) Each request for provider authorization, or program approval from an authorized provider, shall be submitted to the Board no less than 30 days in advance of the date of the proposed program's presentation.

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(3) The Board shall notify providers submitting requests for authorization to sponsor an approved program, or seeking program approval, of the Board decision to grant or deny such request for authorization or approval.

(4) A provider whose request for provider authorization or program approval is denied by the Executive Director, or the Executive Director's designee and who seeks further review of his or her request may appeal the decision to the full Board by a written petition submitted within 30 days of the notice of denial.

(5) A person or agency that submits documentation acceptable to the Board of having received current program approval from and being in good standing with either the Accreditation Council for Pharmacy Education ("ACPE") or the American Medical Association CME Category 1, shall be considered an authorized provider.

4.05: Criteria for Board Approval of Continuing Pharmacy Education Programs

The following guidelines are to assist the registered pharmacist in selecting an appropriate continuing education program and the provider in preparing and implementing continuing education programs for Board approval as an authorized provider.

(1) An applicant for status as a Board-approved provider of a continuing education program shall submit a completed application form, available from the Board, for each continuing education program for which the applicant is seeking approval. The form shall include the following:

- (a) The objectives of the program, which shall be:
 1. clearly stated;
 2. the basis for determining content, learning experience, teaching methodologies, and evaluation;
 3. specific;
 4. obtainable;
 5. measurable; and
 6. describe the expected outcomes for the learner.
- (b) The appropriate subject matter, which shall include one or more of the following:
 1. pharmacy practice management;
 2. disease states/therapeutics;
 3. research in pharmacy and health care;
 4. patient management;
 5. clinical topics;
 6. drugs and dosage forms;
 7. laws and regulations in relation to the practice of pharmacy; and
 8. other topics which the Board may find important in educating the pharmacist.
- (c) The subject matter shall be described in outline form as follows:
 1. learner objectives;
 2. content;
 3. time allotment;
 4. teaching methods;
 5. evaluation format; and
 6. list of references.
- (d) Whether the program will be live or a home-study or other mediated instruction.
- (e) The date(s) of the intended program.
- (f) The location(s) of the intended program, if applicable.
- (g) The sponsors(s) of the program.
- (h) The tuition required to attend the program.
- (i) The amount of continuing education credit, in contact hours, which the program is intended to provide.
- (j) The qualifications of the faculty preparing and teaching the intended program.
- (k) Other information which the Board may deem important.

(2) When the intended program is an academic course, the course shall be within the framework of curriculum that leads to an academic degree in pharmacy or is relevant to pharmacy, or a course within that curriculum that is necessary to an individual's growth and development

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within the profession as outlined in 247 CMR 4.11.

- (3) When the intended program is intended for home-study or other mediated instruction, it shall:
 - (a) Be developed by a professional group;
 - (b) follow a logical sequence;
 - (c) involve the learner by requiring an active response to materials and provide feedback;
 - (d) contain a test to indicate progress and to verify the completion of program; and
 - (e) supply a bibliography for continued study.
- (4) When the intended program is a live program, it shall:
 - (a) Involve direct interaction between the faculty and participants; and
 - (b) the faculty should possess the appropriate credentials related to the discipline being taught.
- (5) Education Methods shall conform to the following:
 - (a) Learning experiences and teaching methods shall be appropriate to achieve the objectives of the program;
 - (b) principles of adult education shall be used in the design of the program;
 - (c) time allotted for each activity shall be sufficient for the learner to meet the objective of the program; and
 - (d) facilities and educational resources shall be adequate to implement the program.
- (6) The faculty shall present documentation satisfactory to the Board indicating his or her competence to teach the content of the intended program and that he or she possesses knowledge of the principles of adult education.
- (7) Attendee and program evaluation:
 - (a) A provision shall be made for evaluating the program participants' attainment of the stated learner objectives; and
 - (b) program participants shall be given the opportunity to evaluate faculty, learning experiences, instructional methods, facilities and educational resources used for the program.

4.06: Record-keeping by Registered Pharmacists

- (1) A pharmacist shall maintain documentation or a statement of credit demonstrating successful completion of the required contact hours of continuing education for a period of at least two years from the date of completion. In order to demonstrate successful completion of required contact hours, a pharmacist must maintain documentation or statements of credit that contains the following information:
 - (a) the name of the authorized provider;
 - (b) the participant's name;
 - (c) the title and number of the continuing education program;
 - (d) the date of completion of the program; and
 - (e) the number of contact hours of continuing education earned.
- (2) A pharmacist shall provide documentation or statements of credit demonstrating successful completion of required contact hours of continuing education to the Board upon request and in response to random audits.

4.07: Continuing Education Credit for Pharmacist Instructors

A registered pharmacist who is a Board-approved continuing education instructor shall receive continuing education credit for the program taught on a one-time basis annually.

4.08: Continuing Education Credit for Postgraduate Pharmacy Curriculum/Program

A registered pharmacist who enrolls in a postgraduate pharmacy curriculum, postgraduate pharmacy program or Board-approved postgraduate medical program, shall be awarded contact hours of continuing education for satisfactory completion of each course within said curriculum or program, provided that the sponsor or co-sponsor of the postgraduate curriculum or program is a Board-authorized or ACPE accredited provider of continuing professional education, and provided further that the course provides instruction in one or more of the following areas: pharmacy, pharmaceutical sciences, pharmacy practice, or pharmacy law.

REGULATORY AUTHORITY

247 CMR 4.00: M.G.L. ch. 112, §§ 24A and 42A