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STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

Memorandum

VIA E-MAIL

DATE: August 24, 2020

TO: Senator Peter Lucido, Chairperson, JCAR
Representative Matt Maddock, Alternate Chairperson, JCAR
Evan Keimach, Senate Majority Policy Office
Jimmy Biehl, House Republican Policy Office
Tim Reeves, Counsel, JCAR
Elizabeth Edberg, Counsel, JCAR

FROM: Marlon I. Brown, Director of Policy and Legislative Affairs *MB*

SUBJECT: Joint Committee on Administrative Rules (JCAR) Briefing Memo for Rule Set 2019–22 LR (Pharmacy – Pharmacist Continuing Education)

Rules Primer

The Pharmacy – Pharmacist Continuing Education Rules require a pharmacist licensee to accomplish certain activities that further their education in the practice of pharmacy. After a pharmacist licensee receives his or her pharmacist license, they have two years to accomplish the continuing education (CE) requirements. Each time they renew their pharmacist license the licensee must state that he or she has met all of the CE requirements.

Summary of the Final Proposed Rule

The modifications to the existing rules will:

- Clarify the CE requirements for a special retired volunteer pharmacist licensee
- Require a one-time training for identifying victims of human trafficking and a one-time training in opioids and other controlled substances awareness before renewal of the license
- Clarify that CE is only required if a licensee has been licensed for a full two-year cycle
- Require one hour of CE in pharmacy ethics and jurisprudence

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- Limit CE credit for taking the same CE course or program twice during one renewal period
- Require documentation of meeting CE requirements
- Require a waiver request prior to the expiration date of the license
- Modify CE approval standards
- Organize CE activities in a table and expand CE options
- Require specific proof for CE

Stakeholder Engagement

Development of the proposed rules occurred in consultation with, and approval of, the Michigan Board of Pharmacy. The web address for the Board is

https://www.michigan.gov/lara/0,4601,7-154-89334_72600_72603_27529_27548---.00.html. The website for the Pharmacy Rules Committee Work Group is

https://www.michigan.gov/lara/0,4601,7-154-89334_72600_72603_27529_27548_91202-493894--.00.html.

Public Engagement and Public Hearing/Comment/Information

The public comment period began on September 18, 2019 and ended on October 4, 2019. The notice of public comment period, in addition to being posted in various newspapers as required, was posted on the LARA website, and distributed via email listserv to all interested parties. The public hearing was held at 9:00 a.m. at the G. Mennen Williams Building Auditorium on October 4, 2019. There were no comments made at the public hearing; however, six comments were submitted in writing from the following individuals:

- Rose M. Baran, PharmD, MA, Assistant Professor, College of Pharmacy, Ferris State University
- Adam Carlson, Senior Director, Government & Political Affairs, Michigan Health & Hospital Association (MHA)
- Thomas R. Clark, RPh, MHS, BCGP, Senior Director, Board of Pharmacy Specialties (bps)
- Deeb D. Eid, PharmD, Assistant Professor, Ferris State University
- Mary Anne McCoy, PhD, RN, ACNS, ACNP-BC, FAANP, President, Michigan Council of Nurse Practitioners (MICNP)
- Brian Sapita, Government Affairs Manager, Michigan Pharmacists Association (MPA)

Rules Committee Work Group Meetings were held on November 15, 2019 to review the public comments made during the open public comment period. The Board of Pharmacy Rules Committee, BPL staff, members of the public attended the meeting.

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Modifications Made Due to Public Comment

The following modifications were made due to public comment:

- Special retired pharmacist license was modified to special retired volunteer pharmacist license
- A date has replaced the language “the first renewal cycle”
- The opioid training is required only if a pharmacist applies for a controlled substance license
- Change the effective date of the ethics and jurisprudence CE to January 1, 2021
- Modifications were made to the CE table to clarify acceptable CE activities

Significant Issues Not Incorporated in the Final Proposed Rules

The following concepts were suggested and discussed, but did not have consensus among the Board members, and therefore, were not included within this rule set:

- Modify the CE requirement of “pain and symptom management” to “addiction and opioid harm reduction”
- Add additional organizations to the list of acceptable continuing education entities included in the CE table
- Modify the amount of credit given for various activities

cc/att: Orlene Hawks, Director, LARA
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Debra Gagliardi, BPL Bureau Director, LARA
Elizabeth Arasim, Regulatory Affairs Officer, LARA