

CHAPTER 39

STATE BOARD OF PHARMACY

Authority

N.J.S.A. 45:14-1 et seq.

Source and Effective Date

R.1999 d.214, effective June 16, 1999.
See: 31 N.J.R. 1151(a), 31 N.J.R. 1932(a).

Executive Order No. 66(1978) Expiration Date

Chapter 39, State Board of Pharmacy, expires on June 16, 2004.

Chapter Historical Note

Chapter 39, State Board of Pharmacy, was filed and became effective prior to September 1, 1969.

Chapter 39, State Board of Pharmacy, was repealed and adopted as new rules by R.1989 d.314, effective June 19, 1989. See: 20 N.J.R. 1648(a), 21 N.J.R. 1712(a).

Pursuant to Executive Order No. 66(1978), Chapter 39, State Board of Pharmacy, was readopted as R.1994 d.351, effective June 16, 1994. See: 26 N.J.R. 1596(a), 26 N.J.R. 2905(b), 26 N.J.R. 3878(a).

Pursuant to Executive Order No. 66(1978), Chapter 39, State Board of Pharmacy, was readopted as R.1999 d.214, effective June 16, 1999. See: Source and Effective Date. See, also, section annotations.

CHAPTER TABLE OF CONTENTS

SUBCHAPTER 1. GENERAL PROVISIONS

- 13:39-1.1 Purpose and scope
- 13:39-1.2 Definitions
- 13:39-1.3 Fee schedule
- 13:39-1.4 Payment of penalties
- 13:39-1.5 Hearings

SUBCHAPTER 2. APPLICANT QUALIFICATIONS AND EXAMINATIONS REQUIREMENTS

- 13:39-2.1 Examinations; grades
- 13:39-2.2 Education requirements
- 13:39-2.3 Application to be filed
- 13:39-2.4 through 13:39-2.6 (Reserved)
- 13:39-2.7 Age requirement
- 13:39-2.8 Proof of character
- 13:39-2.9 Proof of identity of applicant
- 13:39-2.10 Alleged violations of Pharmacy Act

SUBCHAPTER 3. LICENSURE OF PHARMACISTS

- 13:39-3.1 License
- 13:39-3.2 Duplicate license
- 13:39-3.3 Change of name
- 13:39-3.4 Change of address of record
- 13:39-3.5 Certification of records
- 13:39-3.6 Reproduction of original license prohibited
- 13:39-3.7 Limitation of reciprocal licensure
- 13:39-3.8 Basic requirement for transfer of licensure
- 13:39-3.9 Out-of-State practice requirement for transfer of license from a mutually reciprocating state
- 13:39-3.10 Clear record of law observance
- 13:39-3.11 Foreign graduates
- 13:39-3.12 Physical and mental competence of reciprocal licensees
- 13:39-3.13 Preliminary application

- 13:39-3.14 Multistate Jurisprudence Pharmacy Examination: reciprocal licensure
- 13:39-3.15 Biennial registration renewal
- 13:39-3.16 Duplicate renewal license
- 13:39-3.17 Reinstatement in good standing
- 13:39-3.18 Registered pharmacist-in-charge

SUBCHAPTER 3A. CONTINUING EDUCATION

- 13:39-3A.1 Continuing education credit hour requirements
- 13:39-3A.2 Criteria for continuing education credit
- 13:39-3A.3 Continuing education credit hour calculations
- 13:39-3A.4 Continuing education credit hour reporting procedure
- 13:39-3A.5 Waiver of continuing education requirements
- 13:39-3A.6 Responsibilities of continuing education sponsors
- 13:39-3A.7 Monitoring of continuing education programs or courses

SUBCHAPTER 4. PHARMACY PERMITS

- 13:39-4.1 Issuance of permits
- 13:39-4.2 Display of permits
- 13:39-4.3 Death of owner or partner
- 13:39-4.4 Change of ownership
- 13:39-4.5 Change of corporate officers or stockholders of public companies
- 13:39-4.6 Change of location; remodeling of premises
- 13:39-4.7 New pharmacies; eligibility and application
- 13:39-4.8 Discontinued pharmacies
- 13:39-4.9 Business hours
- 13:39-4.10 Duplicate permit
- 13:39-4.11 Change of name
- 13:39-4.12 Reproduction of permits
- 13:39-4.13 Certification of records
- 13:39-4.14 Contract pharmaceutical services
- 13:39-4.15 Retail permit; prescription department or pharmacy department
- 13:39-4.16 Permits; specialized permits
- 13:39-4.17 Steering prohibited
- 13:39-4.18 Responsibilities of pharmacists and permit holders

SUBCHAPTER 5. PRESCRIPTIONS

- 13:39-5.1 Imprinted prescription blanks
- 13:39-5.2 Lack of directions on original prescription
- 13:39-5.3 Authorization for renewal of prescriptions
- 13:39-5.4 Approval of FDA necessary
- 13:39-5.5 Copies of prescriptions; transfers
- 13:39-5.6 Record of pharmacist filling prescription
- 13:39-5.7 Availability of records upon termination of business
- 13:39-5.8 Prescriptions and medication orders transmitted by technological devices in an institution
- 13:39-5.8A Prescriptions transmitted by facsimile
- 13:39-5.8B Electronically transmitted prescriptions
- 13:39-5.9 Labeling

SUBCHAPTER 6. DISPENSING AND ADVERTISING DRUGS

- 13:39-6.1 Professional judgment in dispensing drugs
- 13:39-6.2 Prescription prepared, compounded or dispensed by pharmacy externs or interns
- 13:39-6.3 Identification tag
- 13:39-6.4 Direct supervision of dispensing and compounding
- 13:39-6.5 Restriction on display of prescription legend drugs and controlled dangerous substances
- 13:39-6.6 Foreign prescriptions
- 13:39-6.7 Supportive personnel
- 13:39-6.8 Advertising and sale of prescription drugs
- 13:39-6.9 Restriction on sale of Schedule V over-the-counter controlled substances

SUBCHAPTER 7. PHARMACY FACILITY AND RECORDS

- 13:39-7.1 Retail pharmacy access and egress
- 13:39-7.2 Retail pharmacy signs
- 13:39-7.3 Spatial requirement of a retail pharmacy prescription area
- 13:39-7.4 Prescription counter
- 13:39-7.5 Prescription area sink
- 13:39-7.6 Storage and adequate stock
- 13:39-7.7 Minimum equipment and facilities
- 13:39-7.8 Cleanliness, orderliness and sanitation
- 13:39-7.9 Television in prescription area prohibited
- 13:39-7.10 Return of prescription medication
- 13:39-7.11 Prescription balances, scales, weights and automatic counting devices
- 13:39-7.12 Disposal of unwanted drugs
- 13:39-7.13 Outdated drugs or drugs marked "sample"
- 13:39-7.14 Patient profile record system

SUBCHAPTER 8. PHARMACY TRAINING SITES

- 13:39-8.1 Definitions
- 13:39-8.2 Preceptor certification application; procedures; responsibilities
- 13:39-8.3 Pharmacy training site requirements
- 13:39-8.4 Internship and externship practical experience
- 13:39-8.5 Change in intern status
- 13:39-8.6 Committee on Pharmacy Internship and Externship
- 13:39-8.7 Pharmacist intern log

SUBCHAPTER 9. PHARMACEUTICAL SERVICES WITHIN HEALTH CARE FACILITIES

- 13:39-9.1 Definitions
- 13:39-9.2 Licensure of institutional pharmacies
- 13:39-9.3 Control of institutional pharmaceutical services
- 13:39-9.4 Pharmaceutical services
- 13:39-9.5 Pharmaceuticals
- 13:39-9.6 Drug disbursement; written orders; outpatient prescriptions
- 13:39-9.7 Drug disbursement; oral orders
- 13:39-9.8 Compounding
- 13:39-9.9 Monitoring of patient drug therapy
- 13:39-9.10 Medication not dispensed in finished form
- 13:39-9.11 Drug labeling
- 13:39-9.12 Use of patient's own medication
- 13:39-9.13 Investigational drugs; removal of outdated and recalled drugs; emergency drug supply; controlled dangerous substances
- 13:39-9.14 Drug-dispensing devices
- 13:39-9.15 Disposal of unused medications
- 13:39-9.16 Records and reports
- 13:39-9.17 Drug information and education
- 13:39-9.18 After hours access to the institutional pharmacy
- 13:39-9.19 Advisory committees
- 13:39-9.20 Pharmacy and Therapeutics Committee
- 13:39-9.21 Institutional pharmacy staff
- 13:39-9.22 Pharmacist staff
- 13:39-9.23 (Reserved)
- 13:39-9.24 Pharmacy facilities; space
- 13:39-9.25 Storage and security
- 13:39-9.26 Equipment
- 13:39-9.27 Institutional decentralized pharmacies

SUBCHAPTER 10. AUTOMATED MEDICATION SYSTEMS

- 13:39-10.1 Purpose and scope
- 13:39-10.2 "Automated medication system" definition
- 13:39-10.3 Authority to use automated medication system
- 13:39-10.4 Written policies and procedures of operation
- 13:39-10.5 Personnel training requirements
- 13:39-10.6 Written program for quality assurance
- 13:39-10.7 Written plan for recovery

- 13:39-10.8 Written program for preventative maintenance of automated medication system

SUBCHAPTER 11. STERILE ADMIXTURE SERVICES IN RETAIL AND INSTITUTIONAL PHARMACIES

- 13:39-11.1 Purpose and scope
- 13:39-11.2 Definitions
- 13:39-11.3 Sterile admixture services; environment
- 13:39-11.4 Compliance
- 13:39-11.5 General requirement
- 13:39-11.6 Pharmacist in charge and permitholders' responsibilities
- 13:39-11.7 Training requirements
- 13:39-11.8 Supportive personnel; required supervision
- 13:39-11.9 Batch preparation
- 13:39-11.10 Documentation
- 13:39-11.11 Information required to appear on prescription label
- 13:39-11.12 Expiration date of sterile preparation
- 13:39-11.13 Handling, packaging and delivery
- 13:39-11.14 Policy and procedure manual
- 13:39-11.15 Quality assurance program
- 13:39-11.16 Patient profile records
- 13:39-11.17 Controlled environment: use, access, location; temperature
- 13:39-11.18 Controlled environment: construction
- 13:39-11.19 Controlled environment: stocking, maintenance and supplies
- 13:39-11.20 Controlled environment: clean room
- 13:39-11.21 Controlled environment: anteroom
- 13:39-11.22 Vertical air laminar flow hoods
- 13:39-11.23 Laminar air flow hoods not in a clean room
- 13:39-11.24 Controlled environment: self-contained sterile glove boxes
- 13:39-11.25 Library references
- 13:39-11.26 Disposal of drugs and materials
- 13:39-11.27 Security

SUBCHAPTER 12. NUCLEAR PHARMACIES

- 13:39-12.1 Definitions
- 13:39-12.2 General requirements for pharmacies providing radiopharmaceutical service
- 13:39-12.3 General requirements for a nuclear pharmacist
- 13:39-12.4 Minimum requirements for space, equipment, supplies, and library
- 13:39-12.5 Quality control

SUBCHAPTER 1. GENERAL PROVISIONS

13:39-1.1 Purpose and scope

(a) This chapter is promulgated by the New Jersey State Board of Pharmacy. The rules contained in this chapter implement the provisions of the Pharmacy Act, N.J.S.A. 45:14-1 et seq. and regulate the practice of pharmacy within the State of New Jersey.

(b) This chapter shall apply to all registered pharmacies, pharmacists, pharmacist applicants, interns, externs, supportive personnel and anyone within the jurisdiction of the Board of Pharmacy.

Amended by R.1994 d.351, effective July 18, 1994.
See: 26 N.J.R. 1596(a), 26 N.J.R. 2905(b).

Case Notes

Violations of N.J.A.C. 13:39-8.14(b)2, 10 and 13 found as controlled substances records were improperly kept, misbranded drugs were in

pharmacy and drugs were improperly stored, respectively; penalties (also cited as N.J.A.C. 13:39-8.12). New Jersey State Bd. of Pharmacy v. Yanuzzi, 4 N.J.A.R. 489 (1981).