

TITLE 30: PROFESSIONS AND OCCUPATIONS
PART 3001: MISSISSIPPI PHARMACY PRACTICE REGULATIONS

ARTICLE VII RESPONSIBILITY OF PHARMACIST-IN-CHARGE (PIC)

1. The person who signs the application for a pharmacy permit or the renewal of a pharmacy permit shall be the pharmacist-in-charge (PIC) for that facility.
 - A. Authority. The PIC of the pharmacy shall be responsible for complete supervision, management and compliance with all federal and state pharmacy laws and regulations pertaining to the practice of pharmacy in the entire prescription department. He/She shall have the cooperation and support of all pharmacy staff in carrying out these responsibilities. The pharmacist-in-charge is responsible for assuring that all personnel are properly registered or licensed with the Board and that all pharmacy permits are current and appropriate for the type of pharmacy operation being conducted. A pharmacist shall not be the PIC at more than one Community Pharmacy or Institutional I Pharmacy (unless the Board grants a waiver upon presentation of good cause) and shall not be the pharmacist-in-charge or have personal supervision of more than one facility which is open to the general public on a full-time basis.
 - B. Responsibilities of the Pharmacist-in-Charge:
 - (1) That each individual workspace is designed to provide space and a workflow design that will accommodate the workload in an organized fashion; and
 - (2) That the computer's software should be of a design so that drug interactions and contraindications must be reviewed by the pharmacist. Further, the computer system should support counseling and drug utilization review documentation; and
 - (3) That trained supportive staff shall be maintained to meet the demands of the practice site, workload and the clientele served; and
 - (4) That all staff should be afforded and encouraged to participate in training and continuing education in order to keep them abreast of new information and changes in the field; and
 - (5) That if quotas or formulas such as prescription volume are used to set staffing, conditions such as peak workload periods, workplace design and the training of staff must be taken into consideration.
 - (6) A PIC shall be required to be physically onsite at the pharmacy a minimum of twenty (20) hours per work week or fifty per cent (50%) of the hours of operation of the pharmacy, whichever is less. A record of the onsite hours of the PIC shall be produced upon request by the Board or an agent of the Board. Exceptions will be recognized for practical reasons, i.e., vacation, sick time, etc...
 - C. Circumvention. It is a violation of this section for any person to subvert the authority of the pharmacist-in-charge by impeding the management of the prescription department for the compliance with federal and state drug or pharmacy laws and regulations. Any such circumvention may result in charges being filed against the pharmacy permit.

2. A permit for a pharmacy shall not be issued or renewed unless the pharmacist-in-charge is licensed in this state. If the pharmacist license of the pharmacist-in-charge becomes void or inactive due to surrender, revocation, suspension, restriction or for any other reason, application must be made for a new pharmacy permit by another pharmacist within fifteen (15) days. Failure to submit an application for a new PIC within fifteen (15) days shall render the permit inactive and the pharmacy shall cease doing business in the state until a new permit is issued to a new PIC.
3. If the employment of a pharmacist-in-charge is terminated or if for any other reason he/she wishes to be relieved of the responsibilities of the PIC, he/she must:
 - A. Return the permit to the Mississippi Board of Pharmacy with written notice that he/she is no longer the pharmacist-in-charge for that facility and;
 - B. In accordance with the provision of paragraph 2 of ARTICLE XXV of the Regulations, send to the Board of Pharmacy an inventory of any controlled substances on hand at the facility at the time of his/her termination as pharmacist-in-charge.
 - C. When the relinquishing PIC cannot or does not comply with the inventory requirements of this paragraph it shall be the responsibility of the new PIC to send to the Board of Pharmacy an inventory of any controlled substances on hand at the time he/she assumes responsibility as PIC.
 - D. The relinquishing PIC is responsible for notification of appropriate supervisors or owners of the surrender of the permit. When a permit is thus returned for a facility, application for a new permit for that facility must be made to the Mississippi Board of Pharmacy within fifteen (15) days.
4. If a permitted facility is permanently closed or has a change of ownership, the pharmacist-in-charge for that facility shall give notice to the Board of the effective date of closure or change in ownership and include the storage location of the business's records and appropriate contact information. If a permitted facility has a change in name or location, application for a new permit must be made to the Board at least fifteen (15) days prior to the change in name or location. Once issued, a permit cannot be amended, transferred or assigned to another person.
5. On the premises where a pharmacy is maintained in conjunction with other services or business activities, the pharmacy shall be physically secured from such other services or activities during those times a pharmacist is not present and the pharmacy is not open, and other services or activities are being provided on the premises.
 - A. The Pharmacy shall be secured by a physical barrier to detect entry at a time when the Pharmacist is not present.
 - B. Each pharmacist while on duty shall be responsible for the security of the Pharmacy, including provisions for effective control against theft or diversion of Drugs and/or Devices.
 - C. The pharmacist-in-charge shall be responsible for adequate security being maintained on drugs in all areas of the permitted facility at all times and is responsible for reporting any loss or suspected loss of controlled substances or legend drugs directly to the Board immediately (this does not relieve any pharmacist who discovers a loss from the requirement of reporting the loss directly to the Board).

6. Each facility issued a pharmacy permit by the Mississippi Board of Pharmacy shall maintain:
 - A. An area of sufficient size to accommodate the dispensing functions of the facility and which is adequately equipped to provide for the proper storage of drugs and supplies under appropriate conditions of temperature, light, moisture, sanitation, ventilation and security. All areas where Drugs and Devices are stored shall be dry, well lighted, well ventilated, and maintained in a clean and orderly condition. Storage areas shall be maintained at temperatures which will ensure the integrity of the Drugs prior to their dispensing as stipulated by the USP-NF and/or the Manufacturer's or Distributor's labeling.
 - B. A sink with hot and cold running water which is convenient to the dispensing area;
 - C. An inventory which shall include such drugs, chemicals and preparations as may be necessary to fill ordinary prescriptions as indicated by experience in the area where the pharmacy is located;
 - D. Technical equipment which may include measuring graduates, mortar and pestle, spatulas, funnels, ointment slab or paper, balance and such other items of equipment found to be necessary for the filling of prescriptions or rendering of other pharmacist services; and,
 - E. Current reference material adequate for professional and consumer information.
 - F. Pharmacy permits, facility-controlled substance registrations, and DEA registrations must be conspicuously posted. Evidence of current pharmacist licensure and pharmacy technician registration must be provided on request by any agent of the Board.
 - G. A current and updated copy of the Mississippi Board of Pharmacy Practice Regulations and Pharmacy Practice Act.
7. It is the responsibility of the Pharmacist-in-charge to establish and implement procedures to ensure compliance with the Article entitled Prescription Monitoring Program.
8. The pharmacist-in-charge shall be responsible for written policies and procedures for maintaining the integrity and confidentiality of prescription and patient health care information. All employees of the pharmacy with access to any such information shall be required to read, sign, and comply with the established policies and procedures.