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INDEPENDENT REGULATORY REVIEW COMMISSION
333 MARKET STREET, 14TH FLOOR, HARRISBURG, PA 17101

January 10, 2002

Michael A. Podgurski, R.Ph., Chairman
State Board of Pharmacy
116 Pine Street
Harrisburg, PA 17105

Re: Regulation #16A-549 (IRRC #2197)
State Board of Pharmacy
Reference Libraries; Facsimile Machines

Dear Chairman Podgurski:

The Independent Regulatory Review Commission approved your regulation on January 10, 2002.
Our Order is enclosed and is available on our website at www.irrc.state.pa.us.

We appreciate the joint effort that went into producing a regulation that meets the criteria and intent of the Regulatory Review Act.

Sincerely,

A handwritten signature in cursive script, appearing to read "Alvin C. Bush".

Alvin C. Bush
Vice Chairman

evp
Enclosure

cc: Honorable Mario J. Civera, Jr., Majority Chairman, House Professional Licensure Committee
Honorable William W. Rieger, Democratic Chairman, House Professional Licensure Committee
Honorable Clarence D. Bell, Chairman, Senate Consumer Protection and Professional Licensure Committee
Honorable Lisa M. Boscola, Minority Chairman, Senate Consumer Protection and Professional Licensure Committee
Honorable Kim Pizzingrilli, Secretary, Department of State

**INDEPENDENT REGULATORY REVIEW COMMISSION
APPROVAL ORDER**

Commissioners Voting:

Public Meeting Held January 10, 2002

John R. McGinley, Jr., Chairman, by Phone
Alvin C. Bush, Vice Chairman
Arthur Coccodrilli
Robert J. Harbison, III

Regulation No. 16A-549
State Board of Pharmacy
Reference Libraries; Facsimile Machines

On May 2, 2001, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the State Board of Pharmacy (Board). This rulemaking amends 49 Pa. Code, Chapter 27. The proposed regulation was published in the May 12, 2001 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on December 6, 2001.

This regulation reduces the mandated size of a pharmacy's reference library, and allows a pharmacist to fill prescriptions for all Schedule II controlled narcotic substances received by fax machine for hospice patients, without reviewing the original prescription.

We have determined this regulation is consistent with the statutory authority of the State Board of Pharmacy (63 P.S. §§ 390-4(j), 6(k)(1) and (9)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

BY ORDER OF THE COMMISSION:

This regulation is approved.





Alvin C. Bush, Vice Chairman