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KIM KAUFMAN, EXECUTIVE DIRECTOR
LESLIE A. LEWIS JOHNSON, CHIEF COUNSEL



PHONE: (717) 783-5417
FAX: (717) 783-2664
irrc@irrc.state.pa.us
<http://www.irrc.state.pa.us>

INDEPENDENT REGULATORY REVIEW COMMISSION

333 MARKET STREET, 14TH FLOOR, HARRISBURG, PA 17101

July 23, 2009

Michael A. Podgurski, R.Ph., Chairperson
State Board of Pharmacy
2601 North 3rd Street
Harrisburg, PA 17110

Re: Regulation #16A-5418 (IRRC #2625)
State Board of Pharmacy
Sales of Hypodermic Needles and Syringes

Dear Mr. Podgurski:

The Independent Regulatory Review Commission approved the subject regulation today. Our order is enclosed and will be 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,

Arthur Coccodrilli

Chairman

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Enclosure

cc: Honorable Robert M. Tomlinson, Chair, Senate Consumer Protection and Professional
Licensure Committee

Honorable Lisa M. Boscola, Chair, Senate Consumer Protection and Professional Licensure
Committee

Honorable Michael P. McGeehan, Chair, House Professional Licensure Committee

Honorable William F. Adolph, Jr., Chair, House Professional Licensure Committee

Honorable Pedro A. Cortes, Secretary, Department of State

**INDEPENDENT REGULATORY REVIEW COMMISSION
APPROVAL ORDER**

Commissioners Voting:

Public Meeting Held July 23, 2009

Arthur Coccodrilli, Chairman
George D. Bedwick, Vice Chairman
S. David Fineman, Esq., by Phone
Nancy Sabol Frantz, Esq., Abstained
John F. Mizner, Esq.

Regulation No. 16A-5418 (#2625)
State Board of Pharmacy
Sales of Hypodermic Needles and Syringes

On August 15, 2007, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the State Board of Pharmacy (Board). This rulemaking amends 49 Pa. Code §27.18. The proposed regulation was published in the August 25, 2007 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on June 5, 2009.

This rulemaking eliminates the need for a prescription when a person buys hypodermic needles and syringes.

We have determined this regulation is consistent with the statutory authority of the Board (63 P.S. §§ 390-4(j), 390-6(k)(1) and 390-6(k)(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.





Arthur Coccodrilli, Chairman