

UNPROFESSIONAL CONDUCT; DISCIPLINE

(a) It shall be unprofessional conduct for a licensee to:

- (1) introduce, or enforce policies and procedures related to the provision of pharmacy services in a manner that results in deviation from safe practice;
- (2) Unreasonably prevent or restrict a patient's timely access to patient records or essential pharmacy services;
- (3) fail to identify and resolve conditions that interfere with a pharmacist's ability to practice with competency and safety or create an environment that jeopardizes patient care, including by failing to provide mandated rest periods; and
- (4) repeatedly, habitually, or knowingly fail, to provide resources appropriate for a pharmacist of reasonable diligence to safely complete professional duties and responsibilities, including:
 - (A) drug utilization review;
 - (B) immunization;
 - (C) counseling;
 - (D) verification of the accuracy of a prescription; and
 - (E) all other duties and responsibilities of a pharmacist under State and federal laws and regulations.

(b) Drug outlets under common ownership and control constitute a chain. Discipline against any one drug outlet in a chain may be imposed against all drug outlets in a chain, provided the State alleges in a specification of charges and the Board subsequently finds:

- (1) unprofessional conduct has occurred at one or more drug outlets;
- (2) the unprofessional conduct is attributable to pharmacy or pharmacy business-related policies, procedures, systems, or practices of the chain whether or not those practice manifested in unprofessional conduct at each individual location; and,
- (3) imposition of disciplinary sanctions or conditions against all drug outlets in the chain is appropriate to protect the public.