

TITLE 16 OCCUPATIONAL AND PROFESSIONAL LICENSING
CHAPTER 19 PHARMACISTS
PART 19 HOME CARE SERVICES

16.19.19.1 ISSUING AGENCY: Regulation and Licensing Department - Board of Pharmacy, 1650 University Blvd, NE - Ste. 400B, Albuquerque, NM 87102, (505) 841-9102.
[02-15-1889...02-15-96; 16.19.19.1 NMAC - Rn 16 NMAC 19.19.1, 03-30-02]

16.19.19.2 SCOPE: All entities that provide home care services.
[02-15-96; A, 07-31-98; 16.19.19.2 NMAC - Rn, 16 NMAC 19.19.2, 03-30-02]

16.19.19.3 STATUTORY AUTHORITY: Section 61-11-6(A)(6) NMSA 1978 authorizes the Board to provide for the licensing of all places where dangerous drugs are stored or administered and for the inspection of their facilities and activities. Section 61-11-14(B)(10) NMSA 1978 authorizes the Board to issue limited drug permits for home care services.
[02-15-96; A, 07-31-98; 16.19.19.3 NMAC - Rn, 16 NMAC 19.19.3, 03-30-02]

16.19.19.4 DURATION: Permanent.
[02-15-96; 16.19.19.4 NMAC - Rn, 16 NMAC 19.19.4, 03-30-02]

16.19.19.5 EFFECTIVE DATE: February 15, 1996, unless a different date is cited at the end of each Section or Paragraph. This Part reformatted for inclusion into the New Mexico Administrative Code (NMAC) effective 2-15-96.
[02-15-96; A, 07-31-98; 16.19.19.5 NMAC - Rn, 16 NMAC 19.19.5, 03-30-02]

16.19.19.6 OBJECTIVE: The objective of Part 19 of Chapter 19 is to establish standards for the safe and competent delivery of pharmaceutical products and services to persons who utilize home care services outside the institutional setting.
[02-15-96; 16.19.19.6 NMC - Rn, 16 NMAC 19.19.6, 03-30-02]

16.19.19.7 DEFINITIONS: Definitions as used in this regulation, are:
A. "Home care services" means any organization licensed by the New Mexico Department of Health and the Board of Pharmacy to provide skilled nursing services and at least one other therapeutic or supportive service to patients/clients in their place of residence.
B. "Authorized employee" means any employee of a home care service organization, who in the course of their duties, is licensed by their appropriate board to administer dangerous drugs.
[08-06-94; 16.19.19.7 NMAC - Rn, 16 NMAC 19.19.7, 03-30-02]

16.19.19.8 HOME CARE SERVICES:
A. The New Mexico Board of Pharmacy acknowledges the establishment of home care services outside the institutional setting. In order to protect the people who utilize such services, laws, regulations and safeguards pertaining to drugs must be observed.
B. The dangerous drugs acquired, maintained, and administered by the Home Care Services shall be listed in the agency policy and procedure manual and approved by the Board of Pharmacy. The following is an approved list of dangerous drugs:
(1) Sterile Normal Saline and water - injectable
(2) Sterile Normal Saline and water - irrigation
(3) Acetic Acid -- irrigation
(4) Heparin flush solution
(5) Tuberculin testing solution
(6) Hepatitis B vaccine
(7) Flu vaccine
(8) Topical anesthetic
(9) Diphenhydramine injectable
(10) Epinephrine injectable

C. Any additional dangerous drugs must be defined and listed in the policy and procedure manual and must be approved by the Board.
[08-06-94; 16.19.19.8 NMAC - Rn, 16 NMAC 19.19.7.2, 03-30-02]

16.19.19.9 DRUG STORAGE:

A. There shall be adequate space for the proper storage of drugs provided with proper ventilation, lighting, temperature controls and refrigeration.

B. Dangerous drugs must be stored in a special locked space which provides adequate security.

C. Purchase, storage and control of drugs shall be designed to prevent having outdated, deteriorated or impure drugs in the facility.

D. Access to the drug storage area shall be limited to authorized employees.

E. Dangerous drugs shall be stored at the Home Care Service's licensed location except that small quantities of dangerous drugs, not to exceed the quantity necessary to meet the needs for a 96 hour period, may be possessed and transported, to other locations by authorized employees of the Home Care Service.

(1) The quantities of dangerous drugs allowed to be in the possession of authorized employees for administration will be included in the Home Care Service's policy and procedure manual and requests for change must be approved by the Board.

(2) A list of authorized employees shall be made available at the request of the Board or its' staff.

(3) A record of all dangerous drugs issued to authorized employees will be kept for a period of three years and will include the following:

- (a) Date issued;
- (b) Name of authorized employee;
- (c) Name and strength of dangerous drugs issued;
- (d) Quantity of dangerous drug issued.

F. A record listing the following information shall be kept to account for the administration of all dangerous drugs.

- (1) Date of administration;
- (2) Name of patient;
- (3) Name of dangerous drug;
- (4) Dose or amount administered;
- (5) Name of practitioner ordering administration;
- (6) Name of licensed person administering dangerous drug.

G. Home Care services are required to have a consultant pharmacist who shall visit the service on no less than a quarterly basis.

H. In order to purchase and store any controlled substances, the services must obtain a separate state controlled substance registration and DEA controlled substance registration. These registrations are to be issued under the name of the facility and physician.

[08-06-94; 16.19.19.9 NMAC - Rn, 16 NMAC 19.19.7.5, 03-30-02]

HISTORY OF 16.19.19 NMAC:

Pre-NMAC History: The material in this part was derived from that previously filed with the State Records Center and Archives:

Regulation No. 19, Home Care Services, 7-6-94.

History of Repealed Material: [RESERVED]

Other History: 16 NMAC 19.19, Pharmacists - Home Care Services, filed 02-02-96, reformatted and renumbered to 16.19.19 NMAC, Home Care Services, effective 03-30-2002.