

**NOTICE OF REGULAR BOARD MEETING AND RULE HEARING**

The New Mexico Board of Pharmacy will convene for the purpose of conducting a rule hearing and regular board meeting on July 22, 2021 at 9:00 a.m. and continue until finished. If the meeting agenda items are not finished by 5:00 p.m., the Board will convene on July 23, 2021 at 9:00 a.m. and continue until finished. Pursuant to the June 12, 2020 Public Health Order restricting Mass Gatherings due to COVID-19, the meeting will be held as a virtual meeting.

Location: Virtual meeting

July 22, 2021

Meeting link: <https://nmrld.webex.com/nmrld/onstage/g.php?MTID=ece255bfb9b95b9d6e09c74cdca84b0c1>

Meeting number: 187 929 7215

Password: x6iHd5M3TUd

Join by phone +1-415-655-0002

Access code: 187 929 7215

July 23, 2021

Meeting link: <https://nmrld.webex.com/nmrld/onstage/g.php?MTID=e6d8b5e000d12a13b4041026d3963dcfc>

Meeting number: 187 485 7419

Password: WjVYvG7Wm39

Join by phone +1-415-655-0002

Access code: 187 485 7419

The agenda is posted 72 hours prior to the scheduled meeting. You may view and download a copy of the agenda through the board's website: [www.rld.state.nm.us/boards/pharmacy.aspx](http://www.rld.state.nm.us/boards/pharmacy.aspx). All proposed language regarding rule hearings is linked to the *Agenda*, the *Notice to the Public* on our website and the *New Mexico Sunshine Portal*.

Individuals petitioning the board regarding requests/waivers and/or interested persons wishing to comment on proposed language regarding rule hearings must submit documentation for presentation; via fax (505) 222-9845, mail or email to the Board Administrator, Gabriella Romero, [gabriella.romero@state.nm.us](mailto:gabriella.romero@state.nm.us) at least one week in advance of the scheduled meeting, as public comment is allowed during the rule hearing. On the morning of the hearing beginning at 8:00 a.m. and ending when the rule hearing adjourns, a Board of Pharmacy representative will be stationed at the board office, located at 5500 San Antonio Drive NE, Albuquerque, NM 87109, to receive written comments regarding the rule hearings and also to convey them to the Board. Public attendance will be limited to remote participation. Oral participation by members of the public will be limited to those comments and discussion through audiovisual means.

The board may go into Executive Session to discuss items pursuant to Section 10-15-1H(1), Section 10-15-1H(2), Section 10-15-1H(3) or Section 10-15-1H(7) of the Open Meeting Act. Agenda items may be executed at any time during the meeting to accommodate hearings.

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact Gabriella Romero 505-222-9835 at least one week prior to the meeting or as soon as possible. Public documents, including the agenda and minutes, can be provided in various accessible formats. Please contact Gabriella Romero, at 505-222-9835 or e-mail [gabriella.romero@state.nm.us](mailto:gabriella.romero@state.nm.us) if a summary or other type of accessible format is needed.

The Board will address:

All Board Matters:

Rule Hearings:

July 22, 2021 9:10 a.m.

**16.19.4 NMAC – PHARMACIST:** Section 1, administrative update. Section 17, removal of restriction on pharmacist clinician writing a recommendation for the use of medical cannabis.

**STATUTORY AUTHORITY:** Sections 61-11B-1 to 61-11B-3 NMSA 1978.

**16.19.20 NMAC - CONTROLLED SUBSTANCES:** Section 65, schedule isotonitazene, crotonyl fentanyl and valeryl fentanyl; deschedule marijuana, tetrahydrocannabinols, hashish. Section 38, add remimazolam; and Section 69, add cenobamate – consistent with federal schedules.

**STATUTORY AUTHORITY:** Sections 30-31-1 through 30-31-42 NMSA 1978.

**16.19.30 NMAC – COMPOUNDING OF NON-STERILE PHARMACEUTICALS:** Section 7, administrative clarification. Section 8, pharmacist in charge responsibilities to include assuring availability of current reference source for the type of compounding conducted. Section 9, remove restriction on controlled substance office use compounded veterinary preparations, specify conditions for compounded controlled substance veterinary office use preparation distribution by a pharmacy.

**STATUTORY AUTHORITY:** Paragraph (6) of Subsection (A) of Section 61-11-6 NMSA 1978.

**16.19.31 NMAC – EMERGENCY PROVISIONS:** Sections 1, 2, and 3 administrative updates. New Section 11, during a declared emergency resulting in unavailable required testing or training, the Board may authorize a temporary extension for: pharmacist license under reciprocity, technician registration, or pharmacist to exercise prescriptive authority pursuant to 16.19.26 NMAC.

**STATUTORY AUTHORITY:** Paragraphs 1, 3, 4, and 16 of Subsection A of Section 61-11-6 NMSA 1978.

Disciplinary Hearing(s): July 22, 2021, 1:30 p.m. William Gardner, CS00019456, Case # 2021-002 Order to Show Cause

Executive Director's Report:

Published in Albuquerque Journal June 18, 2021

Published in NM Register June 22, 2021