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Sequence Number: 11-09-14
 Notice ID(s): 2263
 File Date: 11/7/14

Notice of Rulemaking Hearing

Hearings will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, T.C.A. § 4-5-204. For questions and copies of the notice, contact the person listed below.

| | |
|---------------------------------|--------------------------------------------------|
| Agency/Board/Commission: | Board of Pharmacy |
| Division: | |
| Contact Person: | Stefan Cange |
| Address: | 665 Mainstream Drive, Nashville, Tennessee 37243 |
| Phone: | (615) 741-1611 |
| Email: | Stefan.Cange@tn.gov |

Any Individuals with disabilities who wish to participate in these proceedings (to review these filings) and may require aid to facilitate such participation should contact the following at least 10 days prior to the hearing:

| | |
|---------------------|------------------------------------------------------------------------------------------------------------|
| ADA Contact: | ADA Coordinator |
| Address: | 710 James Robertson Parkway, Andrew Johnson Building, 5 th Floor, Nashville, Tennessee 37243 |
| Phone: | (615) 741-6350 |
| Email: | Tina.M.Harris2@tn.gov |

Hearing Location(s) (for additional locations, copy and paste table)

| | |
|----------------|----------------------------------------------------------------------------------------|
| Address 1: | Metro Center |
| Address 2: | 665 Mainstream Drive, Iris Conference Room |
| City: | Nashville, Tennessee |
| Zip: | 37228 |
| Hearing Date : | 01/27/2015 |
| Hearing Time: | 9:00 a.m. <input checked="" type="checkbox"/> CST/CDT <input type="checkbox"/> EST/EDT |

Additional Hearing Information:

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Revision Type (check all that apply):

- Amendment
- New
- Repeal

Rule(s) (ALL chapters and rules contained in filing must be listed. If needed, copy and paste additional tables to accommodate more than one chapter. Please enter only **ONE** Rule Number/Rule Title per row.)

| Chapter Number | Chapter Title |
|----------------|---------------------------------|
| 1140-03 | Standards of Practice |
| Rule Number | Rule Title |
| 1140-03-.03 | Medical and Prescription Orders |

(Place substance of rules and other info here. Statutory authority must be given for each rule change. For information on formatting rules go to <http://state.tn.us/sos/rules/1360/1360.htm>)

Chapter
1140-03

Standards of Practice

Amendment

Rule 1140-03-.03 Medical and Prescription Orders is amended by deleting paragraph (8) in its entirety and substituting instead the following language, so that as amended, the new paragraph (8) shall read:

- (8) It is unlawful for any pharmacy practice site, pharmacist, or pharmacy intern or pharmacy technician under the supervision of a pharmacist, or any other place of business engaged in compounding and dispensing prescription drugs and devices and related materials for human consumption to receive from any patient or other person the return of any portion of an order that has been taken from the premises of the pharmacy practice site or other place of business, unless such receipt or return is authorized pursuant to:
- (a) Board of Pharmacy rule 1140-04-.10; or
 - (b) 21 CFR § 1317.40, "Registrants authorized to collect and authorized collection activities."

Authority: T.C.A. §§ 63-10-404 and 63-10-504.

I certify that the information included in this filing is an accurate and complete representation of the intent and scope of rulemaking proposed by the agency.

Date: 11/7/14

Signature: [Handwritten Signature]

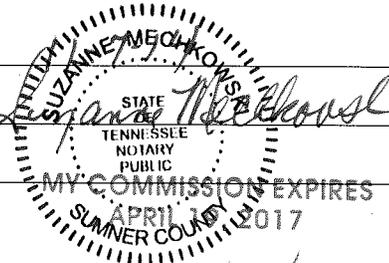
Name of Officer: Stefan Cange
Assistant General Counsel

Title of Officer: Department of Health

Subscribed and sworn to before me on: _____

Notary Public Signature: [Handwritten Signature]

My commission expires on: _____



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Filed with the Department of State on: 11/7/14

[Handwritten Signature]
Tre Hargett
Secretary of State

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