

# Virginia Board of Pharmacy

## Delegation of Authority for Disciplinary Matters

The Board of Pharmacy delegates to the executive director the authority to offer a prehearing consent order (PHCO) in the following circumstances:

1. Action taken by another state board of pharmacy – PHCO would require compliance with other state’s action.
2. Single dispensing error with no patient harm involving an individual who is a minor or medically compromised, or a drug with a narrow therapeutic index – PHCO would require licensee to obtain hours of continuing education in the subject of medication dispensing errors.
3. Inspection report as part of an investigation which resulted in the citing of deficiencies, as identified in Guidance Document 110-9, for which the guidance document recommends a monetary penalty – PHCO would impose the recommended monetary penalty as indicated in Guidance Document 110-9.
4. Application for a change in pharmacist-in-charge (PIC) is submitted beyond the required timeframe for designating a new PIC – PHCO would impose recommended monetary penalty as indicated in Guidance Document 110-9 for either not having a PIC fully engaged in the practice at the pharmacy location or having a PIC in place, inventory taken, but application not filed with Board within the required timeframe.
5. Voluntary surrender of a license or registration for reasons not related to disciplinary action.

The Board of Pharmacy delegates to the executive director the authority to offer a confidential consent agreement (CCA) in the following circumstances:

1. Single dispensing error with no patient harm, except as noted in #2 above – CCA would require licensee to obtain hours of continuing education in the subject of medication dispensing errors.

The Board of Pharmacy delegates to the executive director the authority to close cases that have insufficient evidence of a violation of law or regulation. The Board further delegates to the executive director the authority to issue an advisory letter to the person who was the subject of a complaint pursuant to §54.1-2400.2(G), when it is determined that a disciplinary proceeding will not be instituted.