



## Virginia Department of Planning and Budget **Economic Impact Analysis**

---

### **18 VAC 110-21 Regulations Governing the Licensure of Pharmacists and Registration of Pharmacy Technicians**

**Department of Health Professions**

**Town Hall Action/Stage: 5546 / 8986**

July 9, 2020

---

### **Summary of the Proposed Amendments to Regulation**

The Board of Pharmacy (Board) proposes to allow up to two continuing education contact hours<sup>1</sup> earned through volunteer pharmacist work to count toward the required minimum of three contact hours that must be obtained in courses or programs that are live or real-time interactive.

### **Background**

The regulation requires that pharmacists complete a minimum of 15 contact hours of continuing pharmacy education in an approved program for each annual renewal of licensure. Up to two hours of the 15 contact hours required for annual renewal may be satisfied through delivery of pharmacy services as a pharmacist, without compensation, to low-income individuals receiving health services through a local health department or a free clinic organized in whole or primarily for the delivery of those services. One contact hour of continuing education is credited for each three hours of providing such volunteer services, as documented by the health department or free clinic.

Of the 15 contact hours required for annual renewal, at least three hours must be obtained in courses or programs that are live or real-time interactive. The current regulation does not allow the contact hours obtained through volunteer pharmacist work to count toward the minimum of three contact hours that are live or real-time interactive.

---

<sup>1</sup> "Contact hour" is defined in the regulation as "the amount of credit awarded for 60 minutes of participation in and successful completion of a continuing education program."

## **Estimated Benefits and Costs**

The proposal to allow up to two continuing education contact hours earned through volunteer pharmacist work to count toward the required three contact hours that are live or real-time interactive may encourage more pharmacists to provide such volunteer services. Since in order to qualify for continuing education contact hours the volunteer pharmacy services must be provided to low-income individuals receiving health services through a local health department or a free clinic, the proposal may be beneficial in that some low-income individuals may receive pharmacist services that they would not otherwise have received.

## **Businesses and Other Entities Affected**

The proposed amendment potentially affects the 15,360 pharmacists licensed in the Commonwealth, local health departments, and free clinics. The proposal does not produce costs.

### **Small Businesses<sup>2</sup> Affected:**

The proposed amendment does not substantively affect small businesses.

### **Localities<sup>3</sup> Affected<sup>4</sup>**

The proposed amendment applies throughout the Commonwealth, but lower-income localities may be disproportionately positively affected in that there may be greater need for volunteer pharmacist services. The proposal does not introduce costs for local governments.

## **Projected Impact on Employment**

The proposed amendment is unlikely to substantively affect total employment.

## **Effects on the Use and Value of Private Property**

The proposed amendment is unlikely to substantively affect the use and value of private property or real estate development costs.

## **Legal Mandates**

**General:** The Department of Planning and Budget has analyzed the economic impact of this proposed regulation in accordance with § 2.2-4007.04 of the Code of Virginia (Code) and Executive Order 14 (as amended, July 16, 2018). Code § 2.2-4007.04 requires that such economic impact analyses determine the public benefits and costs of the proposed amendments. Further the report should include but not be limited to: (1) the projected number of

---

<sup>2</sup> Pursuant to § 2.2-4007.04 of the Code of Virginia, small business is defined as “a business entity, including its affiliates, that (i) is independently owned and operated and (ii) employs fewer than 500 full-time employees or has gross annual sales of less than \$6 million.”

<sup>3</sup> “Locality” can refer to either local governments or the locations in the Commonwealth where the activities relevant to the regulatory change are most likely to occur.

<sup>4</sup> § 2.2-4007.04 defines “particularly affected” as bearing disproportionate material impact.

businesses or other entities to whom the proposed regulatory action would apply, (2) the identity of any localities and types of businesses or other entities particularly affected, (3) the projected number of persons and employment positions to be affected, (4) the projected costs to affected businesses or entities to implement or comply with the regulation, and (5) the impact on the use and value of private property.

**Adverse impacts:** Pursuant to Code § 2.2-4007.04(D): In the event this economic impact analysis reveals that the proposed regulation would have an adverse economic impact on businesses or would impose a significant adverse economic impact on a locality, business, or entity particularly affected, the Department of Planning and Budget shall advise the Joint Commission on Administrative Rules, the House Committee on Appropriations, and the Senate Committee on Finance within the 45-day period.

If the proposed regulatory action may have an adverse effect on small businesses, Code § 2.2-4007.04 requires that such economic impact analyses include: (1) an identification and estimate of the number of small businesses subject to the proposed regulation, (2) the projected reporting, recordkeeping, and other administrative costs required for small businesses to comply with the proposed regulation, including the type of professional skills necessary for preparing required reports and other documents, (3) a statement of the probable effect of the proposed regulation on affected small businesses, and (4) a description of any less intrusive or less costly alternative methods of achieving the purpose of the proposed regulation. Additionally, pursuant to Code § 2.2-4007.1, if there is a finding that a proposed regulation may have an adverse impact on small business, the Joint Commission on Administrative Rules shall be notified.