

RULE IMPACT STATEMENT

NAME OF RULEMAKING AUTHORITY:

Oklahoma State Board of Pharmacy
2920 N Lincoln Boulevard Ste A
Oklahoma City, OK 73105-4212

For Information / Questions Contact:

Mary Ann Terral, 405-522-3129, mterral@pharmacy.ok.gov

INTENDED PERMANENT RULEMAKING ACTION:

TITLE 535. OKLAHOMA STATE BOARD OF PHARMACY
CHAPTER 1. ADMINISTRATIVE OPERATIONS

Subchapter 14. Scheduled or controlled dangerous substances classifications or exclusions

535:1-14-3. Procedure [AMENDED]

535:1-14-4. Exclusion of Rx Only products not federally scheduled from Oklahoma Controlled dangerous substances scheduling [AMENDED]

a. Brief description of the purpose of the proposed rule.

The revision in 535:1-14-1, corrects rule cite from 535:1-13-1 to 535:1-8-1. The revision in 535:1-14-4 corrects code formatting.

b. Description of the classes of persons who will most likely be affected by the proposed rule, including classes that will bear the costs of the proposed rule, and any information on costs of the proposed rule, and any information on the cost impacts received by the agency from any private or public entities,

The public and registrants will be affected by the rule change, no costs are anticipated. The rule change increases the clarity of the rules.

c. Description of the classes of persons who will benefit from the proposed rule,

The public and registrants will benefit from more clear rules.

d. Description of probable economic impact of the proposed rule on affected classes of persons or political subdivisions, including a listing of all fee changes and, whenever possible, a separate justification for each fee,

No economic impact is expected.

e. Probable costs and benefits to the agency and to any other agency of the implementation and enforcement of the proposed rule, the source of revenue to be used for implementation and enforcement of the proposed rule, and any anticipated effect on state revenues, including a projected net loss or gain in such revenues if it can be projected by the agency,

No economic impact is expected. Rules are clear for registrant and the public.

f. Determination of whether implementation of the proposed rule will have an economic impact on any political subdivisions or require their cooperation in implementing or enforcing the rule, No impact is anticipated.

g. Determination of whether implementation of the proposed rule may have an adverse economic effect on small business as provided by the Oklahoma Small Business Regulatory Flexibility Act,

No economic impact is expected.

The Oklahoma State Board of Pharmacy as a Title 59, Exempt Profession Agency, remains mindful of the effect of our rules on businesses. We cannot protect public health if rules make it impossible for individuals and businesses to provide pharmaceutical services.

All Board rules affect businesses. The Board involves a range of pharmacies practice sites and individuals in the rulemaking process to minimize adverse effects on all businesses, including small businesses. This makes for better rules as the affected individuals can help the agency avoid pitfalls and unintended consequences.

h. Explanation of the measures the agency has taken to minimize compliance costs and a determination of whether there are less costly or nonregulatory methods or less intrusive methods for achieving the purpose of the proposed rule,

These rule change is the least costly or intrusive method; and no less costly or less intrusive methods exist for achieving the purpose of these revisions.

i. Determination of the effect of the proposed rule on the public health, safety and environment and, if the proposed rule is designed to reduce significant risks to the public health, safety and environment, an explanation of the nature of the risk and to what extent the proposed rule will reduce the risk,

These rule changes make the rules clear for the public and registrants and correct code formatting.

j. Determination of any detrimental effect on the public health, safety and environment if the proposed rule is not implemented, and

Without these rule changes our rules will have a code formatting error and be unclear to registrants and the public.

k. The date the rule impact statement was prepared and if modified, the date modified.

This rule impact statement was originally prepared on October 9, 2023.