



MINNESOTA BOARD OF PHARMACY

**List any rules or portions of
rules that are obsolete,
unnecessary, or duplicative
of other state or federal
statutes or rules.
(In compliance with
Minnesota Statutes Section
14.05, Subd. 5)
(Obsolete Rules Report)**

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COST OF REPORT

[Minnesota Statutes §3.197](#) states that a “report to the legislature must contain, at the beginning of the report, the cost of preparing the report, including any costs incurred by another agency or another level of government”. The estimated cost of preparing this report was **\$50.00**. That is the approximate value, in terms of salary and benefits, of the time that Board staff spent on preparing the report.

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Obsolete Rules Report

MN Stats. §14.05, subd. 5 states, in part: "By December 1 of each year, an agency must submit to the governor, the Legislative Coordinating Commission, the policy and funding committees and divisions with jurisdiction over the agency, and the revisor of statutes, a list of any rules or portions of rules that are obsolete, unnecessary, or duplicative of other state or federal statutes or rules." This report is being submitted for calendar year 2024. It was reviewed and approved by the Board at its October 9, 2024, meeting.

The Board of Pharmacy regulates both the profession of pharmacy and the distribution of drugs into and within the state of Minnesota. It licenses pharmacists, pharmacies, drug manufacturers and drug wholesale distributors. It registers pharmacy interns and technicians, medical gas distributors and controlled substance researchers. The Board administers the Minnesota Prescription Monitoring Program (PMP), a tool that prescribers and pharmacists can use to help reduce the abuse of prescription drugs, such as opiates. It also administers the Opiate Product Registration Fee Program (OPRFP) and a portion of the Minnesota Insulin Safety Net Program (ISNP). The Legislature has also empowered the Board to make certain changes to the state's schedules of controlled substances. The Board has promulgated the rules found in Minnesota Rules Chapter 6800 in order to appropriately exercise its regulatory authority over these complex professions and industries. Note that the Board has not promulgated any rules for the PMP, OPRFP or INSP. The Board strives to protect the health of the public while minimizing regulatory burdens on its licensees and registrants. To that end, the Board often relies on standards established by agencies of the federal government or by professional accrediting and standard-setting organizations.

The Board continuously assesses its rules to determine if any are obsolete, unnecessary or duplicative of other state or federal statutes or rules. The Board adopted extensive general rule changes in 2007 and 2011. At this time, none of the rule parts found in Chapter 6800 of Minnesota Rules are obsolete in the sense of being, in their entirety, no longer in use or no longer useful. Nor are any of the rule parts administered by the Board unnecessary. However, since it has been more than a decade since the Board last engaged in a comprehensive revision of its rules, and since a number of rules could benefit from adjustments, the Board did direct staff to begin complete review of all of its rules. The Board has also authorized the Executive Director to begin the formal rule-making process. During 2023 and 2024, staff reviewed all of Chapter 6800 and identified many rule parts that could use some revision. Staff are now in the process of drafting proposed rule changes.

Most of the Board's rules are not duplicative of other state or federal statutes or regulations. One exception involves those rule parts that list the state's controlled substance schedules. (MN Rules Parts 6800.4210 - 6800.4250). Both Minnesota Statutes and federal regulations also contain schedules of controlled substances. It is the Board's intent to remove the state's controlled substance schedules from rule because it is duplicative with MN Stat. 152. It is also not feasible for the Board to try and maintain timely changes to the list in both rule and statute. The Board is currently engaging in the rule-making process in order to comprehensively revise its rules.