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MINNESOTA BOARD OF PHARMACY
Obsolete Rules Report 2026

Report to the Legislature on rules or portions of rules that are obsolete, unnecessary, or duplicative of other state or federal statutes or rules. (In accordance with Minnesota Statutes Section 14.05, Subd. 5)

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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 $200. That is the approximate value, in terms of salary and benefits, of the time that Board staff spent compiling and preparing the report.

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Introduction

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 2026.

The Board of Pharmacy regulates both the profession of pharmacy and the distribution of drugs within and into the state of Minnesota by:

- Licensing pharmacists;
- Licensing pharmacies, drug manufacturers, drug wholesale distributors, and third-party logistics providers;
- Registering pharmacist interns and pharmacy technicians;
- Registering medical gas dispensers and controlled substance researchers;
- Administering the Minnesota Prescription Monitoring Program (PMP), a tool that prescribers and pharmacists use to help reduce the misuse of prescription drugs such as opioids;
- Administering the Opiate Product Registration Fee program (OPRF);
- Administering a portion of the Minnesota Insulin Safety Net Program (ISNP); and
- Overseeing the Minnesota Medication Repository Program, which is operated under contract by a central repository.

The Board has adopted the rules found in Minnesota Rules, chapter 6800, to regulate these diverse professionals, practice settings, and the drug supply chain. The Board has not adopted rules for the PMP, the OPRF, or the ISNP. Furthermore, the Legislature has also empowered the Board to make certain changes to the state's schedules of controlled substances under Minnesota Statutes, section 152.02.

Changes Affecting Chapter 6800 Since the Last Report

In Laws 2026, chapter 127, article 4, section 25, the Legislature repealed Minnesota Rules, parts 6800.0400 and 6800.1150. Those parts set date-specific renewal deadlines, fees, and late fees for pharmacy and pharmacist licenses, and required pharmacists to post their licenses in the pharmacy. Because Minnesota Statutes, section 151.065, establishes the fees for these licenses, there is no operational change to license renewals. The repealed pharmacist rule also listed an outdated $105

renewal fee that no longer matched the fee in statute.

The Board proposed the repeal of parts 6800.0400 and 6800.1150 as part of a broader effort to enact a bill for standardized license deadlines, late fees, and reinstatement provisions in statute. That standardization bill did not advance during the 2026 session, but the repeals were enacted in Laws 2026, chapter 127. The Board intends to bring a standardization bill forward again, so that expiration and late fee requirements are consistent across license and registration types and clear to licensees.

Assessment

The Board has reviewed chapter 6800 against Minnesota Statutes, chapters 151 and 152, relevant federal law, national standards, Board guidance, and the work of its advisory task forces. Board staff also review the rules for possible overlap with statute or federal law. The Board has identified the following rules or portions of rules that are obsolete, unnecessary, or duplicative. Each item is listed below with the related law and the Board's planned approach.

Most rule parts in chapter 6800 remain in active use. The controlled substance schedules in parts 6800.4210 to 6800.4250, which duplicate Minnesota Statutes, section 152.02, are addressed in the Board's separate report under section 152.02, subdivision 12. While obsolete items are cited in this report, the Board has also identified portions of rules that are either duplicative of statute or federal law, inconsistent with statute, or tied to outdated national standards.

Obsolete, Unnecessary, or Duplicative Items or Requirements

- Part 6800.0700 contains requirements tied to pharmacies licensed before 2011. That date-specific language is no longer needed. The board intends to address this issue by initiating the permanent rulemaking process in calendar year 2027.
- Part 6800.1050 requires specific hard copy references. Electronic references are now standard. The Board proposes requiring current references and equipment appropriate to the practice setting instead of a fixed list and intends to address this by initiating the permanent rulemaking process in calendar year 2027.
- Part 6800.1600 establishes a Continuing Education Advisory Task Force with members designated by professional associations and a quarterly meeting requirement for the approval of courses and credit. The associations named no longer participate for a variety of reasons and the Board has delegated authority to the Executive Director to approve courses and activities for credit. The task force is no longer necessary. The Board proposes repealing this rule and intends to address the issue through the obsolete rule repeal process in calendar year 2027.

- Part 6800.3300 contains an effective date from 2013 that is no longer needed. The Board proposes repealing this portion and intends to address this by initiating the permanent rulemaking process in calendar year 2027.
- Part 6800.3850, subparts 1g and 1h, contain transition language tied to dates in 2012, 2013, and 2014. The underlying requirements still apply, but the dated language is no longer needed. The Board intends to address this by initiating the permanent rulemaking process in calendar year 2027.
- Part 6800.3850, subparts 1b, 1c, and 1f, set technician renewal dates, late fees, and posting requirements. Similar provisions for pharmacies and pharmacists were repealed in 2026. The Board intends to address these through the standardization bill described above in this session.
- Part 6800.3950, subpart 2, item D, requires a hard copy daily summary of controlled substance transactions. The rule already requires electronic systems to maintain these transactions; the printed summary is no longer necessary. The board intends to address this through permanent rulemaking in calendar year 2027.
- Part 6800.4050 requires finished dosage forms to be marked or imprinted to identify the drug and manufacturer. This requirement predates, and is now duplicated by, federal imprint requirements in 21 C.F.R. part 206. The Board proposes repealing this rule and intends to address the issue through the obsolete rule repeal process in calendar year 2027.
- Part 6800.5300, subpart 5, requires interns to complete a Board-provided internship manual. Part 6800.5600 requires an internship advisory committee. Both are obsolete following the 2025 move of intern requirements into Minnesota Statutes, section 151.101, and the Board proposes repeal and intends to address them through the obsolete rule repeal process in calendar year 2027.
- Part 6800.9700 contains an outdated Board mailing address that should be updated. The board repeal and intends to address them through the obsolete rule repeal process in calendar year 2027.

Summary

The Board is taking a comprehensive approach to the rules it adopts and enforces. This includes resolving conflicts between statute and rule, addressing issues raised by licensees and stakeholders, and keeping the safety standards Minnesotans rely on.

The Board remains committed to its mission to promote, preserve, and protect the public health, safety, and welfare by fostering the safe distribution of pharmaceuticals and the provision of quality pharmaceutical care to the citizens of Minnesota.