



## PERMANENT ADMINISTRATIVE ORDER

**BP 22-2022**  
CHAPTER 855  
BOARD OF PHARMACY

**FILED**  
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ARCHIVES DIVISION  
SECRETARY OF STATE  
& LEGISLATIVE COUNSEL

FILING CAPTION: Amends prohibited practices related to disclosure of patient information

EFFECTIVE DATE: 04/20/2022

AGENCY APPROVED DATE: 04/14/2022

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AMEND: 855-041-1055

NOTICE FILED DATE: 02/23/2022

RULE SUMMARY: Amendments are to align Pharmacy Drug Outlet rules concerning access, obtaining or disclosure of patient information with Remote Dispensing Site Pharmacy Drug Outlet rules in OAR 855-139-0602 adopted by the board in December 2021. Permits disclosure of patient information as permitted by federal and state patient confidentiality laws and to the patient or persons authorized by the patient. Also prohibits accessing or obtaining patient information unless it is for the purpose of patient care.

CHANGES TO RULE:

855-041-1055

Confidentiality Prohibited Practices: Disclosure of Patient Information

~~(1) No A Retail Drug Outlet or Institutional Drug Outlet.~~

(1) May not allow a licensee or registrant of the Board who obtains any patient information ~~shall~~ to disclose that information to a third party without the consent of the patient.

~~(2) Section (1) of this rule does not apply to.~~

~~(a) An except as provided in (a)-(e) of this rule. A licensee may disclosure made to patient information.~~

(a) To the Board;

(b) Any disclosure made to a practitioner or to another pharmacist when the pTo a practitioner, Oregon licensed Pharmacist, Intern, Pharmacy Technician, or Certified Oregon Pharmacy Technician, if disclosure is authorized by an Oregon licensed Pharmacist who reasonably believes that disclosing such information is necessary to protect the patient's health or well-being; or

(c) To a third party when disclosure is otherwise authorized or required by law; or

(d) As permitted pursuant to federal and state patient confidentiality laws; or

(e) To the patient or to persons as authorized by the patient.

(2) May not allow a licensee or registrant of the board to access or obtain any patient information unless it is accessed or obtained for the purpose of patient care except as provided in (1)(a)-(e) of this rule.

Statutory/Other Authority: ORS 689.155, 205, ORS 689.305, ORS 689.20315

Statutes/Other Implemented: ORS 689.155