



The Pharmacy Top Ten Reading List: The Policies and Procedures Manual

Presented by:

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This program is approved by NCPA for 0.15 CEUs (1.5 contact hours) of continuing education credit. NCPA is approved by the Accreditation Council for Pharmacy Education as a provider of continuing pharmacy education.

Educational Objectives

Presentation Title: The Pharmacy Top Ten Reading List: The Policies and Procedures Manual

Name of Presenter: James Schiffer and David Heckman

1. List the major sections to be included in an independent community pharmacy policies and procedures manual.
2. Discuss employment law issues that should be included in the policies and procedures manual.
3. Outline a process for review and revision of the policies and procedures manual.



Do I Need an Employee Manual?

Dave Heckman RPh
Jim Schiffer RPh Esq.
October 10, 2006

Overview of Components of Employee Manual



- Introduction
- Job Descriptions
- Employee Relations
- Patient Relations
- Confidentiality
- Conduct on the Job
- Dress Code
- Documenting Time Worked
- Employee Benefits/Salary & Compensation
- Employee Benefits/Vacations
- Employee Benefits/Medical-Retirement & other
- Employee Purchases
- Pharmacy Operations Procedures
- Safety
- Security
- Maintenance of the Store
- General Practice



Introduction

- Purpose
- Revisions of Handbook
- Accountability of Handbook
- Acknowledgement of Receipt of Handbook
- History of Company



Job Descriptions

- Pharmacy Director
- Pharmacist – in – charge
- Pharmacy Manager
- Staff Pharmacist
- Pharmacy Technician
- Pharmacy Clerk/Sales Associate

Employee Relations



- Equal opportunity employer
- At- will employer
- Americans with Disabilities Act
- Communication and Grievances
- Resolving Disputes between Employees
- Harassment
- Employment Classifications
- Evaluation Period
- Performance Evaluation
- Pay Increases
- Progressive Discipline
- Resignation
- Exit Interview
- Outside Employment
- Standards of Conduct
- Searches
- Promptness / Attendance
- Breaks

Patient Relations



- Philosophy
- Acknowledging / Greeting Patients
- Referring Patients to the Pharmacist
- Patient Counseling by the Pharmacist
- Assisting Patients
- Appreciation of Patronage
- Telephone Manners
- Returns

Confidentiality



- Patient Medical and Personal Information
- HIPAA procedures
- Ringing Purchases of Sensitive Items
- Employee Information
- Company Information

Conduct on the Job



- Smoking
- Alcohol and Drug Use
- Personal Use of Telephones
- Internet and E-Mail use
- Personal Electronic Equipment – cell phones – electronic gadgets – other electronic items
- Visitors
- Breaks and Lunches
- Use of Company Vehicle and Equipment
- Travel Expense
- Sales Area Manners
- Eating and Drinking on Sales Floor



Dress Code

- Uniforms
- Name Badges
- Unacceptable Clothing
- Body Art / Piercings



Documenting Time Worked

- Scheduling
- Schedule Requests
- Sickness / Informing Management
- Sickness / Requirement for Note from Physician
- Payroll Errors
- Overtime Pay Guidelines
- Overtime Eligible Hours
- Overtime Authorization
- Holiday Pay Guidelines
- Holiday Eligible Dates
- Holiday Scheduling
- Family Leave
- Jury Duty
- Status of Employee Benefits During Jury Duty
- Return to Work
- Military Leave of Absence

Employee Benefits- Salary & Compensation



- Wages
- Salary Increase Effective Date
- Changes in Salary
- Salary Evaluations
- Salary Confidentiality
- Distribution of Paychecks
- Direct Deposit
- Cashing Paychecks
- Taxable Prizes

Employee Benefits – Vacations



- Earning Vacation Time
- Vacation for Part Time Employees
- Requesting Vacation
- Scheduling Vacation
- Unearned Vacation
- Periods Vacations May Not be Scheduled
- Taking Vacations in Week Blocks
- Number of Employees Who Can Take Vacations at the Same Time
- Use of Vacation Time
- Unused Vacation Time
- Unused Vacation Time in the Event of Resignation or Termination
- Unpaid Time Off
- Personal Days
- Pay for Unused Personal Days
- Accumulation of Personal Days
- When Personal Days May be Used

Employee Benefits – Medical, Retirement & Other



- Medical Insurance
- Company Contribution
- Health Insurance Eligibility
- Declining Coverage
- Available Coverage Options
- Retirement Plan Eligibility
- Company Contribution
- Employee Contribution
- Responsibility for Investment Decisions
- Vesting
- Profit Sharing
- Other Benefits

Employee Purchases



- Ringing Up Employee Transactions
- Storage of Purchased Items
- Discounts

Pharmacy Procedures



- Professional Environment
- Telephone Protocol
- Confidentiality
- Maintenance
- Refrigerator
- Posting of Licenses and Notices
- Liability
- References
- Ordering Supplies
- Access by Non – Pharmacy Personnel
- Key Policy
- Patient Interactions
- Prescription Intake
- Prescription Processing
- Special Product Sales
- Prescription Pickup
- Record Retention
- Patient Counseling
- Pharmacy Error – Procedure
- Other procedures – specifics important

Safety



- Maintaining a Safe Work Environment
- Patient Injuries
- Employee Injuries
- Safe Lifting
- Worker's Compensation
- Employee Injury and Pay

Security

- Burglaries
- Robberies
- Shoplifting
- Parking Lot Safety
- Emergency Store Closures
- Fire
- Exits Available
- Power Failure
- Pay During Emergency Closures



Maintenance of the Store

- Cleanliness / Clutter Control
- Storage Areas
- Closing Store Procedure



General Practices



- Store staff meetings
- Parking Policy
- Solicitation
- Lost and Found
- Bulletin Boards
- Music
- Work Materials
- Professional Organizations
- Gifts

Discussion about issues that may crop up in the workplace



- By having an employee manual and using it, you prevent problems, jealousy, possible litigation
- By having an employee manual and using it you also provide for a harmonious work place atmosphere

Evolving Issues for Consideration



- Federal Pseudophedrine sales guidelines are now required for all retail sales of pseudophedrine and related products
- Federal Medicaid regulations effective January 2007 require an Educational Information Compliance Program for the staff of pharmacies doing at least \$5 million a year in Medicaid billing

Questions from audience



- Answers from the speakers

S.1932

Deficit Reduction Act of 2005 (Enrolled as Agreed to or Passed by Both House and Senate)

SEC. 6032. EMPLOYEE EDUCATION ABOUT FALSE CLAIMS RECOVERY.

(a) In General- Section 1902(a) of the Social Security Act (42 U.S.C. 1396a(a)) is amended--

- (1) in paragraph (66), by striking `and' at the end;
- (2) in paragraph (67) by striking the period at the end and inserting `; and'; and
- (3) by inserting after paragraph (67) the following:

`(68) provide that any entity that receives or makes annual payments under the State plan of at least \$5,000,000, as a condition of receiving such payments, shall--

`(A) establish written policies for all employees of the entity (including management), and of any contractor or agent of the entity, that provide detailed information about the False Claims Act established under sections 3729 through 3733 of title 31, United States Code, administrative remedies for false claims and statements established under chapter 38 of title 31, United States Code, any State laws pertaining to civil or criminal penalties for false claims and statements, and whistleblower protections under such laws, with respect to the role of such laws in preventing and detecting fraud, waste, and abuse in Federal health care programs (as defined in section 1128B(f));

`(B) include as part of such written policies, detailed provisions regarding the entity's policies and procedures for detecting and preventing fraud, waste, and abuse; and

`(C) include in any employee handbook for the entity, a specific discussion of the laws described in subparagraph (A), the rights of employees to be protected as whistleblowers, and the entity's policies and procedures for detecting and preventing fraud, waste, and abuse.'

(b) EFFECTIVE DATE- Except as provided in section 6035(e), the amendments made by subsection (a) take effect on January 1, 2007.

SEC. 6033. PROHIBITION ON RESTOCKING AND DOUBLE BILLING OF PRESCRIPTION DRUGS.

(a) IN GENERAL- Section 1903(i)(10) of the Social Security Act (42 U.S.C. 1396b(i)), as amended by section 6002(b), is amended--

- (1) in subparagraph (B), by striking `and' at the end;
- (2) in subparagraph (C), by striking `; or' at the end and inserting `, and'; and
- (3) by adding at the end the following:

`(D) with respect to any amount expended for reimbursement to a pharmacy under this title for the ingredient cost of a covered outpatient drug for which the pharmacy has already received payment under this title (other than with respect to a reasonable restocking fee for such drug); or'

(b) EFFECTIVE DATE- The amendments made by subsection (a) take effect on the first day of the first fiscal year quarter that begins after the date of enactment of this Act.

Caution: The Following May Contain HIPAA Protected Health Information (PHI)



Pharmacy Incident Report

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Page 2

Name of Patient: _____ Rx#: _____

Address: _____

City: _____ State: _____ Zip: _____

Home Phone: _____ Other Phone: _____

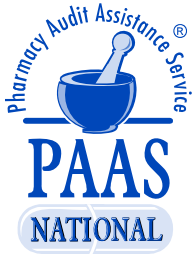
Date of Birth: _____ Sex: Male Female

Describe Incident (i.e. what was dispensed vs. what should have been dispensed, what if any medication was taken, and what effect this had on the patient)

Patient Comments(include date): _____

Name of Person Who Discovered Incident: _____

Caution: The Following May Contain HIPAA Protected Health Information (PHI)



Pharmacy Incident Report

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Page 3

Prescriber's Name: _____

Prescriber's Phone: _____

Check Box If Prescriber Was Notified and Enter...

Date: _____ by: _____

Prescriber Comments: _____

Actions Taken to Resolve Incident: _____

Final Outcome: _____

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Pharmacy Incident Report

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Page 4

Areas to Evaluate Further (check all that apply)

- Employee's Actions
- Pharmacy Procedures
- Prescriber's Actions
- Patient's Actions

Recommendations to Prevent Similar Incidents in the Future

Actions Taken to Prevent Similar Incidents in the Future (include date)

Report Initiated by: _____

Report Completed by: _____ Date: _____



Instructions for the Pharmacy Incident Report

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The four page PAAS[®] Pharmacy Incident Report provides an easy method to document the occurrence of a pharmacy dispensing incident. Hopefully, incidents are rare occurrences in your pharmacy, but you do need to document what happened for liability purposes and implement some quality improvement activities in most situations.

The first page is designed in such a way that information such as the incident date, the open or closed status of the report, whether any medication was taken, and whether an alleged injury occurred may be readily scanned for by flipping through a notebook containing these reports. The first page avoids asking for HIPAA Protected Health Information, and you should be careful to avoid including the patient's name, drug name, and Rx number on this page. Once placed in a notebook, the report can be sealed by stapling the top and bottom right hand edge of all four pages. HIPAA Protected Health Information can then be accessed only by breaking this seal.

Pages 2 through 4 may contain HIPAA Protected Health Information and therefore your entire Incident Notebook should be maintained accordingly. When describing the incident, avoid using language that would assign guilt to the store or an individual. Simply state the facts, as in "the patient returned a vial labeled (name of drug) but which contained (name of drug), etc.

Page 4 outlines possible causal sources and provides an area for suggested actions to prevent future occurrences. There is also a section to document the date and description of any of these actions which were implemented. The person initiating this report should sign on page 4 where indicated. The person completing and closing the report should sign and date on page 4 where indicated, and place a check mark in the box at the top of the first page to indicate this incident report is closed.

Punch the report and place in your Incident Report Notebook or in a file cabinet and follow the same storage guidelines as you would with any HIPAA Protected Health Information.

Learning Assessment Questions

Presentation Title: The Pharmacy Top Ten Reading List: The Policies and Procedures Manual

Name of Presenter: Jim Schiffer and David Heckman

1. What Policy and Procedure Manual requirements are mandated by the recently passed Deficit Reduction Act of 2005?
2. Please list at least two federal laws regarding hiring and employment related practices which pharmacies should address in their Policy and Procedure Manual.
3. How can your Policy and Procedure Manual improve employee relations?
4. How does a Policy and Procedure Manual make a manager's job easier?
5. How can your Policy and Procedure Manual help protect your Trade Secrets and proprietary information?

Learning Assessment Answers

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Answers:

1. There is a new federal requirement for pharmacy providers involved in state Medicaid programs to comply with the recently enacted Deficit Reduction Act of 2005 by means of an educational component to be included in the pharmacy employee manual. Not every pharmacy must comply, only those pharmacies that are doing at least \$5 million per year in state Medicaid prescription business must comply.
2. The Americans with Disabilities Act, and Fair Labor Standards Act of 1938 as amended, the Health Insurance Portability and Accountability Act, (some larger pharmacies must also comply with the Family Medical Leave Act,) as well as other equal opportunity employment acts.
3. Employees are much happier when they understand the standard practices and expectations of the employment relationship.
4. A Policy and Procedure Manual provides a baseline reference which enables a manager to be fair and consistent in their employee relationships.
5. Business information that a business owner desires to keep private which can be used by competitors may be considered a trade secret or proprietary information. The injured party (pharmacy owner) can bring a lawsuit based on a breach of the Policy and Procedure Manual and if damages are proven, can collect a court imposed judgment on the defendant.