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**Pharmacy 543 – Pharmacy Laws & Ethics  
FINAL EXAMINATION  
December 8, 2008**

Questions 1-40 are multiple choice. Please record your answers on Side 2 of a Standard Answer Sheet, Form 1158. Follow the instructions on Side 1. Carefully complete your name and student number (both characters and bubbles). **Select the BEST answer from the available choices.** Multiple choice, one point each – 40 points. Questions 41-51 are short-answer, 20 points. Ethics Question, 51. 15 Points.

Exam total: 75 points.

**Legibility:** please verify that your written answers can be read by mere mortals, and your name and student number are legible and correct. Please **double-check the student ID number for accuracy.** Errors or omissions may delay or impact your grades.

**Turn in:**

- (1) the Standard Answer Form,
- (2) your answers to the short answer questions (1 sheet **2 sides**) and the ethics question (1 sheet **2 sides**)
- (3) other pages as necessary (see below).

Please **DO NOT** turn in pages that do **NOT** need to be graded.

Asking questions during the exam: you may **NOT** ask questions during the licensure examination, so none will be permitted during the exam. However, if you believe that a question is technically flawed, please indicate your concern in a comment on the exam page and turn it in with your answer sheets.

So as to **NOT** confuse you, terms like **NOT, TRUE, FALSE** are presented in **BOLD, ALL-CAPS.**

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**MULTIPLE CHOICE QUESTIONS**

1. You are an independent pharmacy manager and have 12 full- and part-time employees. One-third of your business is cross-border. You have two job applicants for a vacant pharmacist position. One is a recently married, recent graduate. The other is 41 and recently discharged from a lengthy rehabilitation program following an undisclosed illness. Which of the following questions may you ask during interviews?
  - a. Nature of recent illnesses
  - b. Professional abilities \*
  - c. Pregnancy status
  - d. Existing disabilities
  
2. Which of the following would **NOT** constitute "reasonable accommodation" in modifying a pharmacy workplace for an employee with a disability?
  - a. accommodating an employee's religious practices
  - b. Low cost purchase or modification of equipment
  - c. Physical changes to the workplace
  - d. Job restructuring of a major task to other employees \*

3. Given that Washington is an "at will" state, which of the following is **NOT** true?
- You can be discharged for any reason at any time, with some exceptions
  - A contract offers some protection against "at will" discharges
  - Refusing to comply with a management request that you ignore a BOP "professional responsibility" could lead to an "at will" discharge" ✖
  - Discharges that violate public policy are prohibited
4. Workplace discrimination is prohibited under which of the following bodies of law?
- Federal (i.e., Title VII – Civil Rights Act)
  - State (i.e., Washington State Human Rights Commission)
  - City (i.e., Seattle Human Rights Ordinance)
- I only
  - III only
  - I and III only
  - I, II and III ✖
5. Which of the following are elements of workplace harassment?
- Unwelcome conduct
  - An individual's protected class status
  - Conduct that is severe and pervasive enough to alter conditions of employment
- I only
  - III only
  - I and III only
  - I, II and III ✖
6. Which of the following conditions or diseases is **NOT** protected under the Americans with Disabilities Act?
- Alcoholism
  - HIV
  - Pregnancy
  - Substance abuse ✖
7. Which of the following is **NOT** true about employee requests for "reasonable accommodation"?
- Must be in writing
  - Employer is responsible for detecting disability
  - Employee must specifically request "accommodation"
- I only
  - III only
  - I and III only ✖
  - I, II and III

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8. From the Drug Enforcement Administration's perspective, what is your obligation if you suspect that controlled substances are being diverted ("significant loss") from your workplace?
- I. Notify the DEA
  - II. Notify the local police
  - III. Notify the state Board of Pharmacy
- a. I only \*
  - b. III only
  - c. I and III only
  - d. I, II and III
9. Pharmacist responsibilities to prevent drug diversion include:
- I. Maintain knowledge of presently abused drugs.
  - II. Follow established procedures.
  - III. Keep accurate notes and records.
- a. I only
  - b. III only
  - c. I and III only
  - d. I, II and III \*
10. What is the regulatory concern regarding "secondary wholesalers" in the pharmaceuticals industry?
- a. Sherman Antitrust violations
  - b. Robinson-Patman violations
  - c. Entry point for counterfeit products \*
  - d. Traceability problems with Type III recalls
11. When could the Board of Pharmacy **NOT** take action against a registrant/licensee?
- a. complaint received by the Board of a misfill
  - b. evidence received by the Board of controlled substances diversion
  - c. complaint received by the Board of failure to counsel
  - d. complaint received by the Board of drug price irregularities \*
12. If an action is brought against you by an individual harmed following a dispensing error, in which court would the action be filed?
- a. Administrative
  - b. Civil \*
  - c. Criminal
  - d. Justice

13. McKee v. American Home Products,<sup>1</sup> is thought to be “bad law” because:
- The decision is an example of the judiciary trying to set public policy
  - While “precedential”, it conflicts with statutory law \*
  - The decision continues to be cited in pharmacy legal proceedings
  - The drug involved has been removed from the market
14. “Punitive damages” might be awarded in Washington for which of the following?
- Defendant shows wanton and reckless disregard for plaintiff’s rights
  - Defendant violates a professional responsibility owed to plaintiff
  - Defendant demonstrates morally culpable conduct towards plaintiff
- I only
  - III only
  - I and III only \*
  - I, II and III
15. Which of the following is **TRUE** about a “qualified patient” under Washington’s Natural Death Act, as revised under Initiative 1000?
- Applies to adults only
  - Diagnosis made by two physicians where at least one has examined the patient
  - Patient is diagnosed to have a permanent unconscious condition
- I only
  - III only
  - I and III only \*
  - I, II and III
16. Which of the following is **TRUE** about pharmacist’s professional responsibilities following successful passage of Washington’s Initiative 1000? The Act now:
- Permits assisted suicide
  - Permits active euthanasia and lethal injection
  - Requires pharmacists or authorized others to dispense the lethal dose
- I only \*
  - III only
  - I and III only
  - I, II and III
17. To whom may you grant a “durable power of attorney for health care” in Washington?
- Your physician
  - Your 12-year-old niece
  - Your 21-year-old nephew \*
  - Your pharmacist friend, employed by the hospital where you are receiving care

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<sup>1</sup> “...the court refused to attach liability to a pharmacist who had accurately filled a prescription but had not warned the patient of the potential side effects associated with extended use of the prescription drug.” Triverdi HU. <http://leda.law.harvard.edu/leda/data/100/htrivedi.html> Accessed 04dec08

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18. "Fee Splitting" is a term used for a specific type of insurance fraud. Which one of the following best illustrates fee splitting fraud?
- I. One party offers money or some other form of inducement to another party in return for increased business
  - II. Even though the prescription is dispensed on one day, the billing date of service is submitted as another day
  - III. The prescription for #100 capsules, one capsule taken once daily, is dispensed in increments of three 33 day-supply prescriptions even though the insurance covers a one-hundred day supply
- a. I only
  - b. III only \*
  - c. I and III only
  - d. I, II and III
19. An individual licensed as a "registered nurse" in WA, who called in controlled substance prescriptions to a pharmacy for his personal use, could be criminally charged for which of the following violations?
- I. Representing himself as a physician in order to obtain controlled substances
  - II. Prescription forgery
  - III. Possession of a controlled substance without a prescription
- a. I only
  - b. III only
  - c. I and III only
  - d. I, II and III \*
20. The Board of Pharmacy may regulate the sales of poisons **EXCEPT** for which of the following:
- a. Strychnine
  - b. Cyanide
  - c. Arsenic
  - d. Pesticides \*
21. The definition of the "practice of pharmacy" includes which of the following?
- I. Monitoring drug therapy
  - II. Drug Utilization Review
  - III. Administration of Drugs
- a. I only
  - b. III only
  - c. I and III only
  - d. I, II, and III \*

22. The Board of Pharmacy may deny a license to a pharmacist for which of the following reasons?
- I. He/she is unfit due to abuse of drugs or alcohol
  - II. It took him/her 3 tries before passing the required examinations
  - III. He/she is under the age of 21
- a. I only
  - b. III only
  - c. I and III only \*
  - d. I, II, and III
23. A pharmacist attended the University of Washington School of Pharmacy and was licensed by examination in the State of Washington. At the time she was taking NAPLEX, she requested that copies of her scores be transferred to Idaho and Oregon. After completing the licensing process in all three states and practicing for two years in Washington and 6 months in Oregon she receives a job offer in Nevada. Which of her licenses may this pharmacist use as a basis for obtaining a license by reciprocity in Nevada?
- I. Washington
  - II. Oregon
  - III. Idaho
- a. I only
  - b. III only
  - c. I and III only
  - d. I, II, and III \*
24. Which of the following drugs may a Medicare-approved dialysis center dispense to its patients in full case lots without being licensed as a pharmacy?
- a. Sodium Bicarbonate injection
  - b. Epogen© (epoetin alfa) injection
  - c. Immune Globulin injection
  - d. Heparin injection \*
25. Which of the following are required of a non-resident pharmacy?
- I. Washington patient records must be identifiable
  - II. A toll free number must be available and placed on prescription labels
  - III. It must comply with Washington Patient Information rules
- a. I only
  - b. III only
  - c. I and III only
  - d. I, II, and III \*
26. The ratio of pharmacy technicians to pharmacists in a Washington community pharmacy that is specified in regulations is:
- a. 1:1
  - b. 2:1
  - c. 3:1 \*
  - d. 4:1

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27. Medicare is authorized to reimburse pharmacies for outpatient prescription drugs pursuant to which part of the Medicare Law?
- a. Part A only
  - b. Part B only
  - c. Parts A and D only
  - d. Parts B and D only \*
28. A Washington hospital must establish a drug formulary system because which of the following organizations requires it?
- a. Medicaid program
  - b. Medicare Program \*
  - c. JCAHO
  - d. Washington State Board of Pharmacy
29. Which of the following must have a pharmacy license?
- a. Hospital \*
  - b. Skilled Nursing Facility
  - c. Intermediate Care Facility
  - d. Assisted Living Center
30. How frequently must a Skilled Nursing Facility count its Schedule III controlled substances?
- a. Every shift
  - b. Every 24 hours
  - c. Every week \*
  - d. Every month
31. At the request of a PBM, a pharmacist agrees to switch patients from one ACE inhibitor (antihypertensive) to another therapeutically equivalent product in return for a payment of \$10.00 per prescription. This pharmacist could be charged with a violation of which of the following laws?
- a. The Anti-kickback law \*
  - b. The Anti-substitution law
  - c. The Non-resident pharmacy law
  - d. The Legend Drug Act
32. A pharmacy student accepts a job as an intern in a pharmacy. The responsibility to confirm the certification status of the preceptor is the responsibility of which of the following:
- a. The Intern \*
  - b. The Preceptor
  - c. The Pharmacy
  - d. The Board of Pharmacy

33. Which of the following may be performed under the Board of Pharmacy rules concerning "Pharmacist Responsibilities?"
- I. A pharmacy technician consults a patient profile at the request of a physician to determine when the patient received her most recent refill.
  - II. A pharmacy assistant receives a telephoned request to refill a prescription.
  - III. A pharmacy intern performs the final check on a prescription.
- a. I only
  - b. III only
  - c. I and III only
  - d. I, II, and III \*
34. The Washington Recovery Assistance Program for Pharmacists (WRAPP) is supported by which of the following:
- a. State General Revenue Funds
  - b. Pharmacist and technician license fees \*
  - c. Tax on prescriptions
  - d. Washington State Pharmacy Association
35. Which of the following would allow a pharmacist to accept for return-to-stock a prescription drug that had been dispensed?
- a. The drug had been under the control of a registered nurse \*
  - b. The patient only had the drug in his possession for one hour
  - c. The patient did not open the container
  - d. The drug has a long expiration date
36. For which of the following conditions may a properly registered practitioner prescribe a Schedule II stimulant drug?
- I. Narcolepsy
  - II. Obesity
  - III. Epilepsy
- a. I only
  - b. III only
  - c. I and III only
  - d. I, II, and III \*
37. Which of the following drugs may a licensed midwife purchase and administer to her patients?
- I. Rho Immune Globulin
  - II. General anesthetics
  - III. Oxytocin (Pitocin)
- a. I only
  - b. III only
  - c. I and III only \*
  - d. I, II, and III

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38. Which of the following is a provision of Washington's Syringe Law (chapter 70.115 RCW)?
- I. The retailer must be satisfied that the syringe is for a legal purpose
  - II. The retailer must provide written syringe disposal information to the purchaser
  - III. The retailer is not required to sell syringes
- a. I only
  - b. III
  - c. I and III \*
  - d. I, II, and III
39. When a practitioner, other than a pharmacist, dispenses a prescription drug, which of the following may he/she omit from the label?
- a. Name of the drug \*
  - b. Directions for use
  - c. Name of the Patient
  - d. Date of dispensing
40. If the police were to search a player's locker at Safeco Field, the next time that the New York Yankees are here for a baseball game, and they found anabolic steroids with no prescription label, which law(s) might the player be charged with violating?
- I. Federal Controlled Substances Act
  - II. Uniform Controlled Substances Act (chapter 69.50 RCW)
  - III. Legend Drug Act (69.41 RCW)
- a. I only
  - b. I and II
  - c. II and III
  - d. I, II, and III \*
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**SHORT ANSWER QUESTIONS** – 20 points total

Please confine your responses to the space provided – write inside the box – and write legibly.

41. Please list the two conditions that must be satisfied for an adult person to be a “qualified patient” under the Washington Natural Death Act (assume appropriate diagnoses within accepted medical standards). (2)

Terminal condition  
Permanent unconscious condition

42. List two out-of-state prescribers (NOT licensed in the state of Washington) who may **NOT** legally prescribe Legend drugs in Washington. (2)

PA  
ARNP  
Naturopathic Physician

43. You are staffing in an inpatient pharmacy at a local hospital and receive the following handwritten orders from a physician. Please **CIRCLE AND CORRECT** the “dangerous abbreviation(s)” to avoid according to JCAHO (4 points – points will be deducted for incorrect answers).

Regular insulin 5.0 U subcutaneous TID before meals  
Lisinopril 10 mg PO QD  
Cyanocobalmin .1 mg IM monthly

44. Describe two manners in which controlled substances can be stored at a pharmacy. (2)

Disperse among other prescription drugs  
Store in securely lock, substantially constructed cabinet

45. What are the elements that a plaintiff must prove in order for a pharmacist to be found liable for committing a tort of negligence? (2)

Duty → Breach → Causation → Damages

46. Which Washington statute contains laws governing the licensure and discipline procedures for health and health-related professionals and businesses and is applied by the Board of Pharmacy in disciplinary procedures? (1)

Uniform Disciplinary Act

47. Complete the following citation of RCW 69.41.120. (2)

“Every drug prescription shall contain an instruction on whether or not a therapeutically equivalent generic drug may be substituted in its place, unless substitution is permitted under a prior-consent authorization.

If a written prescription is involved, the prescription must be legible and the form shall have two signature lines at opposite ends on the bottom of the form. Under the line at the right side shall

be clearly printed the words “**dispense as written**”. Under the

line at the left side shall be clearly printed the words “**substitution permitted**”.

48. For which of the following individuals could a pharmacist provide protected health care information to the patient’s parent? Check permitted disclosures as in the example. (2)

Example: An 13-year-old receiving treatment for HIV	<input checked="" type="checkbox"/>
A 13-year-old receiving treatment for syphilis	<input checked="" type="checkbox"/>
A 12-year-old receiving treatment for depression	<input checked="" type="checkbox"/>
A 14-year-old receiving treatment for “Skittles” dependency (street name for dextromethorphan)	<input type="checkbox"/>
A 16-year-old receiving mifepristone (Mifeprex) as an abortifacient	<input type="checkbox"/>

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49. An oral prescription of a Schedule II controlled substance is permitted in cases of emergency. What are the three conditions that define "emergency"?

Immediate administration of the controlled substance is necessary, for proper treatment of the intended ultimate user

No appropriate alternative treatment is available, including administration of a drug which is not a controlled substance under schedule II of the Act

It is not reasonably possible for the prescribing practitioner to provide a written prescription to be presented to the person dispensing the substance, prior to the dispensing

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Nonmaleficence	(2)
Autonomy	(2)
Justice	(2)
Virtue	(2)
Root Cause	(1)