



State of Rhode Island and Providence Plantations  
**Department of State | Office of the Secretary of State**  
 Nellie M. Gorbea, *Secretary of State*

**Rules and Regulations Filing Form**

**1. Agency Name and Address**

Health, Department of  
 Cannon Building

**2. Title of Rule**

Rules and Regulations Pertaining to Pharmacists, Pharmacies and Manufacturers, Wholesalers and Distributors [R5-19.1-PHAR]

**3. Statutory Source of Authority**

§5-19.1-5 of the Rhode Island General Laws, as amended

**4. Concise Explanatory Statement - §42-35-2.6**

Addition of new §21.10. See Brief Statement of Reason for Finding Imminent Peril for additional details

**5. Type of Filing**

**Emergency Rules**

- A1. Emergency 120-day initial - §42-35-2.10  
 Adoption  
 Amendment of ERLID:  
 Repeal of ERLID:

- A2. Emergency 60-day renewal - §42-35-2.10  
 Adoption  
 Amendment  
 Repeal

Indicate ERLID of 120-day initial: 5763

Brief Statement of Reason for Finding Imminent Peril §42-35-2.10:

The Department's contingency plans for pandemic flu response have been recently modified to utilize practitioners at community-based health centers for dispensing antivirals and other pharmaceuticals to the public, a practice not specifically authorized under the current regulations. Immediate filing will protect the health, safety and welfare of the public by ensuring that a sufficient number of geographically separate locations are available to ensure prompt and efficient dispensing of antivirals and other pharmaceuticals (on a state-wide basis) as part of the Department's response to pandemic flu or a similar emergency situation

Agency Head Signature: \_\_\_\_\_

Governor/Governor's Designee Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

**Final Rules**

- B1. Amendment - §42-35-3(a)       B2. Adoption - §42-35-3(a)       B3. Repeal - §42-35-3(a)  
 C. Technical Revision       D. Direct Final Rule - §42-35-2.11

If B1 or C, please indicate new, amended, deleted, or revised sections:

**6. Notice and Hearing Information**

Date of Public Notice - §42-35-2.8: Notice Not Required  
 Date of Public Hearing - §42-35-2.8: Hearing Not Required  
 End of Comment Period - §42-35-2.8 :

**7. Agency Additional Information - Web Page**

http://

**8. Certification**

*I hereby certify that the attached rules and regulations were adopted in accordance with the Administrative Procedures Act (42-35) and that they are true copies of this Department, attest,*

\_\_\_\_\_  
 Name

\_\_\_\_\_  
 Notary Public

\_\_\_\_\_

Subscribed and sworn before me  
this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

ERLID#: 5886