



Collaborative Practice Agreements Open Opportunities, Liabilities for Pharmacists

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With added power comes added responsibility for pharmacists practicing under expanded collaborative practice agreements.

In 48 states and the District of Columbia, pharmacists' scope of practice allows for collaborative practice agreements with prescribers—although each state has its own rules and nuances about what, where, and with whom pharmacists can collaborate.

For instance, Ohio pharmacists practicing under collaborative practice agreements will soon have the authority to establish agreements with multiple physicians in order to manage drug therapy for multiple patients. Under these expanded agreements, pharmacists in Ohio can also order laboratory tests and then modify drug therapy based on the results.

Antonio Ciaccia, director of government and public affairs for the Ohio Pharmacists Association, told *Pharmacy Times* that the state's new collaborative practice agreement laws will have a major impact on all pharmacy practice settings, including compounding, long-term care, hospital, ambulatory, community, and consulting. While he believes that pharmacists have "more than adequate training" to perform the services permitted under the new law, the Ohio Pharmacists Association is still crafting educational resources for pharmacists who are looking for more information about their expanded roles.

"Pharmacists are naturally very process-oriented... (so) it is important to give them the information and tools they need in order to confidently and seamlessly integrate new services and programs into their practice," he noted.

In a practice advisory on collaborative drug therapy management (CDTM), the Academy of Managed Care Pharmacy (AMCP) outlined the potential liability for a pharmacist practicing under such an arrangement.

“If practitioners within the scope of a CDTM setting are found to be negligent, pharmacists and physicians are placed at risk of legal repercussions consistent with any harm done to a patient,” the AMCP noted.

Past plaintiffs have argued that pharmacists have a duty to warn patients about medications, including their risks and side effects.

In [one such case](#), a woman who developed Stevens-Johnson syndrome alleged that both the drug manufacturer and pharmacy had negligently failed to warn her of the rare yet serious potential side effect of the urinary tract infection medicine she was prescribed and dispensed.

The appellate court reasoned that just as the manufacturer’s inclusion of the side effect in the product’s labeling protected it from liability, the presence of that same information also shielded the pharmacy from liability for a failure-to-warn claim.

Although the pharmacy in this instance was not held liable, such lawsuits may increase in frequency as pharmacists begin to play a more active role in medication therapy management.

Because of the variations in state pharmacy practice acts, pharmacists can best defend themselves against such liability claims by taking the time to familiarize themselves with the authority granted to them under their collaborative practice agreement to ensure that they do not exceed that authority. Pharmacists may also check with their malpractice insurance carrier about the need for additional coverage associated with an enhanced role in patient care.

In Ohio, Ciaccia said the state pharmacists association is in the process of creating materials to prepare pharmacists for every aspect of their expanded role.

“[The Ohio Pharmacists Association] is currently developing several educational programs to help pharmacists better understand the opportunities within the new laws, as well as focus on some of the liability issues,” he said.

Despite the increased potential for malpractice and liability issues, Ciaccia touted Ohio’s expanded collaborative practice agreement law as a victory for prescribers, pharmacists, and patients alike.

“It is well known that engagement of the pharmacist on the health care team is a great driver for improving outcomes,” he said. “As far as opportunities for pharmacists, under this new law, the sky is the limit.”