

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas  
2 81st General Assembly  
3 Regular Session, 1997

# A Bill

HOUSE BILL 1791

4  
5 By: Representative Malone

## For An Act To Be Entitled

9 "AN ACT TO AMEND THE LAW ESTABLISHING FEES CHARGED BY THE  
10 STATE BOARD OF PHARMACY; AND FOR OTHER PURPOSES."

## Subtitle

13 "TO AMEND THE LAW ESTABLISHING FEES  
14 CHARGED BY THE STATE BOARD OF PHARMACY."

15  
16 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

17  
18 SECTION 1. Arkansas Code 17-92-108 is amended to read as follows:

19 "17-92-108. Fees.

20 (a) The fees charged by the Arkansas State Board of Pharmacy for the  
21 various examinations, permits, licenses, certificates, and books issued by the  
22 board shall be as follows:

23 (1) The fee for examination for license as a licensed pharmacist upon  
24 examination shall ~~be not exceed~~ twenty-five dollars (\$25.00) plus the actual  
25 cost of the examination;

26 (2) The fee for a license as a licensed pharmacist from another state  
27 by reciprocity and without examination shall ~~be not exceed~~ two hundred dollars  
28 (\$200);

29 (3) The fee for the initial license and renewal of a license as a  
30 licensed pharmacist shall ~~be not exceed~~ fifty ~~seventy-five~~ dollars (~~\$50.00~~  
31 75.00)

32 (4) (A) The fee for issuance of a pharmacy permit for the first time to  
33 operate ~~a~~ an in-state pharmacy or drugstore shall ~~be not exceed~~ two ~~three~~  
34 hundred dollars (~~\$200~~ 300). The fee for annual renewal of a permit to operate  
35 ~~a~~ an in-state pharmacy or drugstore shall ~~be not exceed~~ one hundred fifty  
36 dollars (~~\$100~~ 150). When there is a change in ownership in an in-state

1 pharmacy or drug store, a new permit must be obtained, and the fee shall ~~be~~  
2 not exceed one hundred fifty dollars (~~\$100~~ 150);

3           (B) The fee for issuance of a permit for the first time to  
4 operate an out-of-state pharmacy or drugstore shall not exceed three hundred  
5 dollars (\$300). The fee for annual renewal of a permit to operate an out-of-  
6 state pharmacy or drugstore shall not exceed one hundred fifty dollars (\$150).  
7 When there is a change in ownership in an out-of-state pharmacy or drug  
8 store, a new permit must be obtained, and the fee shall not exceed one hundred  
9 fifty dollars (\$150);

10           (5) The fee for a certificate as a licensed pharmacist shall ~~be~~ not  
11 exceed ten dollars (\$10.00);

12           (6) The fee for certifying grades in connection with an application for  
13 reciprocity licensure without an examination shall ~~be~~ not exceed ten dollars  
14 (\$10.00);

15           (7) The fee for issuance of, and annual renewal of, a license as a  
16 wholesale dealer under the Arkansas Prophylactic Law, § 20-63-101 et seq.,  
17 shall ~~be not exceed~~ ~~twenty-five~~ thirty-five dollars (~~\$25.00~~ 35.00);

18           (8) The fee for issuance of, ~~and the annual renewal of,~~ a hospital  
19 pharmaceutical service permit shall ~~be not exceed~~ ~~one~~ three hundred dollars  
20 (~~\$100~~ 300), and the fee for the annual renewal of a hospital pharmaceutical  
21 service permit shall not exceed one hundred fifty dollars (\$150). When there  
22 is a change in ownership of a hospital pharmacy, a new permit must be obtained  
23 and the fee shall not exceed one hundred fifty dollars (\$150);

24           (9) The fee for issuance of, and the annual renewal of, an  
25 institutional pharmaceutical services permit shall ~~be not exceed~~ ~~twenty~~  
26 thirty-five dollars (~~\$20.00~~ 35.00);

27           (10) The fee for issuance of, ~~and~~ the annual renewal of, and the  
28 reinstatement of a nursing home pharmacy consultant permit shall be not exceed  
29 twenty thirty-five dollars (~~\$20.00~~ 35.00);

30           (11) The fee for intern ~~and preceptor registration shall not exceed~~  
31 ~~twenty dollars (\$20.00)~~ registration shall not exceed fifteen dollars (\$15.00)  
32 per year and the fee for preceptor registration shall not exceed twenty  
33 dollars (\$20.00) every two years;

34           (12) The fee for a change of pharmacist in charge of a pharmacy shall  
35 ~~be not exceed~~ ~~twenty-five~~ thirty-five dollars (~~\$25.00~~ 35.00);

36           (13) The fee for reinstatement of a pharmacist licensure shall ~~be~~ not

1 exceed fifty seventy-five dollars (~~\$50.00~~ 75.00) for each delinquent year up  
 2 to a maximum of ~~two~~ three hundred dollars (~~\$200~~ 300);

3 (14) The fee for the Arkansas State Board of Pharmacy law book shall ~~be~~  
 4 not exceed twenty-five dollars (\$25.00) except to interns on initial  
 5 licensure, and applicants for reciprocity, on a one-time basis. A copy of each  
 6 edition as revised shall be provided free to each pharmacy permit holder;

7 (15) The fee for a change of location inspection shall ~~be~~ not exceed  
 8 one hundred dollars (\$100);

9 (16) The penalty for late payment of renewal ~~for pharmacists,~~  
 10 ~~pharmacies, wholesaler/manufacture of legend drugs and controlled substances,~~  
 11 ~~hospital, institutional, and nursing home consultant permits of any permit,~~  
 12 license, registration or certificate shall ~~be~~ not exceed twenty dollars  
 13 (\$20.00) per month ~~from February 1,~~ beginning the first day of the second  
 14 month after expiration, provided that if the renewal is ~~unpaid by April 1 of~~  
 15 ~~any year~~ not paid by the first day of the fourth month after expiration, the  
 16 license shall be null and void; ~~and~~

17 (17) The fee for issuance of a ~~manufacturers, bottlers, packers,~~  
 18 ~~repackers, or wholesalers~~ wholesale distributor of legend drugs and/or  
 19 controlled substances permit shall ~~be~~ not exceed ~~two~~ three hundred dollars  
 20 (~~\$200~~ 300), and annual renewal shall ~~be~~ not exceed one hundred fifty dollars  
 21 (~~\$100~~ 150), ~~provided that if the renewal is unpaid by December 31 of any year~~  
 22 ~~the permit shall be null and void.~~ When there is a change in ownership of a  
 23 wholesale distributor of legend drugs and/or controlled substances, a new  
 24 permit must be obtained and the fee shall not exceed one hundred fifty dollars  
 25 (\$150);

26 (18) The fee for issuance or annual renewal of a pharmacists assistant  
 27 certified and/or registered under this subchapter shall not exceed thirty-five  
 28 dollars (\$35); and

29 (19) The reinstatement fee for a pharmacists assistant certified  
 30 and/or registered under this subchapter shall be not less than thirty-five  
 31 dollars (\$35) and shall not exceed one hundred forty dollars (\$140); and

32 (20) The application fee for a license to sell, rent, offer to sell, or  
 33 rent directly to patients in this state any home medical equipment, legend  
 34 drugs, and/or medical gases shall not exceed two hundred fifty dollars (\$250),  
 35 and the annual license renewal fee or change of ownership fee shall not exceed  
 36 one hundred twenty-five dollars (\$125).

1 (b) All fees for examination for license shall be payable with the  
 2 application and shall not be subject to refund.

3 (c) Should any license, certificate, or registration not be renewed  
 4 within ninety (90) days after expiration thereof, same may be reinstated by  
 5 the Board as authorized in this section upon payment of the renewal fee and  
 6 reinstatement fee; provided, however, (1) pharmacy permits, (2) hospital  
 7 permits, (3) wholesale distributors of legend drugs and/or controlled  
 8 substance permits, and (4) suppliers of medical equipment, legend devices,  
 9 and/or medical gas licenses are not subject to reinstatement if not renewed  
 10 within ninety (90) days after expiration."

11

12 SECTION 2. Arkansas Code 17-92-305(c) pertaining to examinations by the  
 13 Board of Pharmacy is amended to read as follows:

14 "(c) Each application must be accompanied by ~~an examination fee of~~  
 15 ~~twenty-five dollars (\$25.00) plus the cost of the examination and a~~  
 16 ~~certificate fee of ten dollars (\$10.00) plus the examination fee and~~  
 17 certificate fee prescribed by 17-92-108."

18

19 SECTION 3. Arkansas Code 17-92-308(b) pertaining to reciprocal licenses  
 20 by the State Board of Pharmacy is amended to read as follows:

21 "(b) All applications for a reciprocal license shall be accompanied by  
 22 ~~a fee of two hundred dollars (\$200) the fee prescribed by 17-92-108."~~

23

24 SECTION 4. Arkansas Code 17-92-310(a) is amended to read as follows:

25 "(a)(1) All licenses, permits, registrations, and certificates issued  
 26 by the Arkansas State Board of Pharmacy shall expire on the December 31  
 27 following the date of their issuance, except that intern registrations shall  
 28 expire on the thirty-first day of May next following the issuance thereof and  
 29 preceptor registrations shall expire on the thirty-first day of May of the  
 30 second calendar year after issuance thereof.

31 (2) Every license, permit, registration, and certificate not  
 32 renewed within ninety (90) days after expiration thereof, shall be null and  
 33 void."

34

35 SECTION 5. Arkansas Code 17-92-801(c) is repealed.

36 ~~(c) The board shall set an annual fee not to exceed twenty-five dollars~~

1 ~~(\$25.00) for a pharmacist's assistant certified and/or registered under this~~  
2 ~~subchapter.~~

3

4 SECTION 6. Arkansas Code 17-92-902(b)(1) establishing the Pharmacy  
5 Boards licensing fee for home medical equipment, legend drugs, and medical  
6 gases is amended to read as follows:

7 "(b)(1) The application for a license shall be on a form furnished by  
8 the board and shall be accompanied by payment of ~~a fee of two hundred dollars~~  
9 ~~(\$200)~~ the fee prescribed by 17-92-108."

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11 SECTION 7. Arkansas Code 17-92-902(c)(1) is repealed.

12 ~~(c)(1) The annual license renewal fee is one hundred dollars (\$100).~~

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14 SECTION 8. All provisions of this act of a general and permanent nature  
15 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
16 Revision Commission shall incorporate the same in the Code.

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18 SECTION 9. If any provision of this act or the application thereof to  
19 any person or circumstance is held invalid, such invalidity shall not affect  
20 other provisions or applications of the act which can be given effect without  
21 the invalid provision or application, and to this end the provisions of this  
22 act are declared to be severable.

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24 SECTION 10. All laws and parts of laws in conflict with this act are  
25 hereby repealed.

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