

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 8th General Assembly
3 Regular Session, 2005

A Bill

SENATE BILL 234

4
5 By: Senator Malone
6
7

For An Act To Be Entitled

9 AN ACT TO RESTRUCTURE THE FEE FOR INTERN
10 PHARMACIST LICENSURE; TO CLARIFY THE SCOPE OF
11 ENFORCEMENT OF THE ARKANSAS STATE BOARD OF
12 PHARMACY; TO CLARIFY LICENSE EXPIRATION DATES FOR
13 VARIOUS PHARMACIST, PHARMACY, AND INTERN LICENSES
14 AND PERMITS; AND FOR OTHER PURPOSES.

Subtitle

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17 AN ACT TO RESTRUCTURE FEES FOR INTERN
18 PHARMACISTS AND TO CLARIFY EXPIRATION
19 DATES FOR VARIOUS PHARMACIST LICENSES.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. Arkansas Code § 17-92-108(a), concerning fees assessed by
25 the Arkansas State Board of Pharmacy, is amended to read as follows:

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

29 (1) The fee for examination for a license as a licensed
30 pharmacist upon examination shall not exceed twenty-five dollars (\$25.00)
31 plus the actual cost of the examination;

32 (2) The fee for a license as a licensed pharmacist from another
33 state by reciprocity and without examination shall not exceed two hundred
34 dollars (\$200);

35 (3)(A) The fee for the initial license as a licensed pharmacist
36 shall not exceed seventy-five dollars (\$75.00).



1 (B) The fee for the renewal of a license as a licensed
2 pharmacist shall not exceed seventy-five dollars (\$75.00) per year;

3 (4)(A)(i) The fee for issuance of a pharmacy permit for the
4 first time to operate an in-state pharmacy shall not exceed three hundred
5 dollars (\$300).

6 (ii) The fee for renewal of a permit to operate an
7 in-state pharmacy shall not exceed one hundred fifty dollars (\$150) per year.

8 (iii) When there is a change in ownership in an in-
9 state pharmacy, a new permit must be obtained and the fee shall not exceed
10 one hundred fifty dollars (\$150).

11 (B)(i) The fee for issuance of a permit for the first time
12 to operate a specialty pharmacy shall not exceed three hundred dollars
13 (\$300).

14 (ii) The fee for renewal of a permit to operate a
15 specialty pharmacy shall not exceed one hundred fifty dollars (\$150) per
16 year.

17 (iii) When there is a change in ownership in a
18 specialty pharmacy, a new permit must be obtained and the fee shall not
19 exceed one hundred fifty dollars (\$150);

20 (C)(i) The fee for issuance of a permit for the first time
21 to operate an out-of-state pharmacy shall not exceed three hundred dollars
22 (\$300).

23 (ii) The fee for renewal of a permit to operate an
24 out-of-state pharmacy shall not exceed one hundred fifty dollars (\$150) per
25 year.

26 (iii) When there is a change in ownership in an out-
27 of-state pharmacy, a new permit must be obtained and the fee shall not exceed
28 one hundred fifty dollars (\$150);

29 (5) The fee for a certificate as a licensed pharmacist shall not
30 exceed ten dollars (\$10.00);

31 (6) The fee for certifying grades in connection with an
32 application for reciprocity licensure without an examination shall not exceed
33 ten dollars (\$10.00);

34 (7)(A) The fee for issuance of a hospital pharmaceutical service
35 permit shall not exceed three hundred dollars (\$300), and the fee for the
36 renewal of a hospital pharmaceutical service permit shall not exceed one

1 hundred fifty dollars (\$150) per year.

2 (B) When there is a change in ownership of a hospital
3 pharmacy, a new permit must be obtained and the fee shall not exceed one
4 hundred fifty dollars (\$150)~~+~~.

5 (C)(i) The fee for issuance of an ambulatory care center
6 pharmaceutical service permit shall not exceed three hundred dollars (\$300),
7 and the fee for the renewal of an ambulatory care center pharmaceutical
8 service permit shall not exceed one hundred fifty dollars (\$150) per year.

9 (ii) When there is a change in ownership of an
10 ambulatory care center pharmacy, a new permit must be obtained, and the fee
11 shall not exceed one hundred fifty dollars (\$150);

12 (8)(A) The fee for issuance of an institutional pharmaceutical
13 services permit shall not exceed thirty-five dollars (\$35.00).

14 (B) The fee for the annual renewal of an institutional
15 pharmaceutical services permit shall not exceed thirty-five dollars (\$35.00);

16 (9)(A) The fee for issuance of and the reinstatement of a
17 nursing home consultant pharmacist permit shall not exceed thirty-five
18 dollars (\$35.00).

19 (B) The fee for the renewal of a nursing home consultant
20 pharmacist permit shall not exceed thirty-five dollars (\$35.00) per year;

21 (10)(A) The fee for intern registration shall not exceed ~~fifteen~~
22 ~~dollars (\$15.00) per year~~ forty-five dollars (\$45.00), and the fee for
23 preceptor registration shall not exceed twenty dollars (\$20.00) every two (2)
24 years.

25 (B)(i) An intern license that expires on May 31, 2005, may
26 be renewed and shall be treated as a new intern license as provided for in
27 § 17-92-310 (a)(1)(c).

28 (ii) However, the fee for the renewed license shall
29 be prorated so that the total fees paid by the intern for intern licensure
30 shall not exceed forty-five dollars (\$45.00);

31 (11) The fee for a change of pharmacist in charge of a pharmacy
32 or other facility as described at § 17-92-403 shall not exceed thirty-five
33 dollars (\$35.00);

34 (12) The fee for reinstatement of a pharmacist licensure shall
35 not exceed seventy-five dollars (\$75.00) for each delinquent year up to a
36 maximum of three hundred dollars (\$300);

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

5 (14) The fee for a change of location inspection shall not
6 exceed one hundred dollars (\$100);

7 (15) The penalty for late payment of renewal of any permit,
8 license, registration, or certificate shall not exceed twenty dollars
9 (\$20.00) per month beginning the first day of the second month after
10 expiration, provided that if the renewal is not paid by the first day of the
11 fourth month after expiration, the license shall be null and void;

12 (16)(A) The fee for issuance of a wholesale distributor of
13 legend drugs and controlled substances permit shall not exceed three hundred
14 dollars (\$300), and the renewal fee shall not exceed one hundred fifty
15 dollars (\$150) per year.

16 (B) When there is a change in ownership of a wholesale
17 distributor of legend drugs and controlled substances, a new permit must be
18 obtained and the fee shall not exceed one hundred fifty dollars (\$150);

19 (17)(A) The fee for the original issuance of a pharmacy
20 technician's permit shall not exceed thirty-five dollars ~~(\$35)~~, (\$35.00).

21 (B) The fee for the renewal of a pharmacy technician's
22 permit shall not exceed thirty-five dollars ~~(\$35)~~, (\$35.00) per year;

23 (18) The reinstatement fee for a pharmacy technician's permit
24 shall not exceed forty dollars ~~(\$40)~~, (\$40.00); and

25 (19)(A) The application fee for a license to sell, rent, offer
26 to sell, or rent directly to patients in this state any home medical
27 equipment, legend drugs, or medical gases shall not exceed two hundred fifty
28 dollars (\$250).

29 (B) The license renewal fee shall not exceed one hundred
30 twenty-five dollars (\$125).

31 (C) The change-of-ownership fee shall not exceed one
32 hundred twenty-five dollars (\$125).

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34 SECTION 2. Arkansas Code § 17-92-205(c)(1), concerning enforcement of
35 rules and regulations of the Arkansas State Board of Pharmacy, is amended to
36 read as follows:

1 (c)(1) The board's inspectors or other designated agents, upon written
 2 authorization by the board, to conduct oversight activities authorized by
 3 law, including, but not limited to, audits, investigations, inspections,
 4 licensure, or disciplinary actions, civil, administrative, or criminal
 5 proceedings or actions, or other activities necessary for appropriate
 6 oversight of the regulated activities may enter any store, business
 7 establishment, including any hospital pharmacy, or any other facility holding
 8 a license, permit, or other authority issued by the board where drugs,
 9 medicines, chemicals, pharmaceuticals, poisons, home medical equipment, or
 10 services or other objects, services, or activities regulated by the board are
 11 manufactured, sold, dispensed, or conducted to enforce ~~this subchapter~~ this
 12 chapter, the Uniform Controlled Substances Act, § 5-64-101 et seq., §§ 5-64-
 13 1001 -- 5-64-1006, §§ 5-64-1101 -- 5-64-1103,
 14 ~~or~~ the Food, Drug, and Cosmetic Act, § 20-56-201 et seq., or §§ 20-64-501--
 15 20-64-513.

16
 17 SECTION 3. Arkansas Code § 17-92-310(a)(1), concerning failure to
 18 renew licenses issued by the Arkansas State Board of Pharmacy; is amended to
 19 read as follows:

20 (a)(1)(A) ~~All licenses, permits, registrations, and certificates~~
 21 ~~issued by the Arkansas State Board of Pharmacy shall expire on the December~~
 22 ~~31 following the date of their issuance, except that intern registrations~~
 23 ~~shall expire on the thirty first day of May next following the issuance~~
 24 ~~thereof and preceptor registrations shall expire on the thirty first day of~~
 25 ~~May of the second calendar year after issuance thereof~~ All retail pharmacy
 26 permits, out-of-state pharmacy permits, specialty pharmacy permits, and
 27 pharmacist licenses shall expire on December 31 of the first odd-numbered
 28 year following the date of their issuance.

29 (B) All preceptor permits shall expire on May 31 of the
 30 second calendar year following the date of their issuance.

31 (C)(i)(a) Intern licenses issued to foreign graduates
 32 shall expire on December 31 of the second calendar year following the date of
 33 issuance.

34 (b) However, intern licenses issued to foreign
 35 graduates shall expire when the intern is issued a pharmacist license.

36 (ii)(a) Intern licenses issued to student interns

1 shall remain valid as long as the intern maintains active student status in a
2 college of pharmacy approved by the Arkansas State Board of Pharmacy and for
3 six (6) months following graduation.

4 (b) An intern license issued to a student
5 intern shall expire six (6) months following graduation.

6 (c) An intern license issued to a student
7 intern may be reinstated if the intern resumes active student status in a
8 board-approved college of pharmacy and applies for reinstatement.

9 (d) An intern license issued to a student
10 intern shall expire when the intern is issued a pharmacist license.

11 (D) All pharmacy technician permits, hospital pharmacy
12 permits, ambulatory care center pharmaceutical services permits, wholesale
13 distributors of legend or controlled substance permits, wholesale
14 distributors of medical equipment, legend devices, and medical gases permits,
15 institutional pharmaceutical services permits, List I chemical permits,
16 nursing home consultant pharmacist permits, and any other issued by the board
17 and not covered in subdivisions (a)(1)(A)-(C) of this section shall expire on
18 December 31 of the first even-numbered year following the date of the
19 issuance of the permit, license, registration, or certificate.

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