

1 HB183  
2 208272-1  
3 By Representative Lee  
4 RFD: Boards, Agencies and Commissions  
5 First Read: 02-FEB-21  
6 PFD: 01/28/2021

SYNOPSIS: Under existing law, an applicant for a license to practice pharmacy must submit two notarized photographs of himself or herself with the application.

This bill would no longer require a license applicant to submit photographs with the application.

This bill would clarify that the examination for licensure is administered by the National Association of Boards of Pharmacy.

This bill would also provide that the Alabama State Board of Pharmacy shall establish by board rule requirements for continuing education.

A BILL  
TO BE ENTITLED  
AN ACT

Relating to the practice of pharmacy; to amend Sections 34-23-51 and 34-23-52, Code of Alabama 1975; to

1 revise the information that must be included with an  
2 application for a license to practice pharmacy; to provide  
3 further for examination; and to provide further for continuing  
4 education.

5 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

6 Section 1. Sections 34-23-51 and 34-23-52, Code of  
7 Alabama 1975, are amended to read as follows:

8 "§34-23-51.

9 "(a) Every person who desires to practice pharmacy  
10 within this state shall file with the secretary of the board  
11 his or her ~~written~~ application for licensure ~~upon forms~~  
12 ~~furnished~~ as required by the board not less than 10 days prior  
13 to his or her examination. The application shall be  
14 accompanied by an examination and registration fee for  
15 residents and nonresidents of this state, the fees to be set  
16 by the board. ~~The application shall be accompanied by two~~  
17 ~~recent photographs of the applicant, no larger than 2 1/2 x 3~~  
18 ~~1/4 inches and certified on the back of each photograph by a~~  
19 ~~notary public.~~

20 "(b) The applicant shall furnish satisfactory proof  
21 that he or she is at least 19 years of age, of good moral  
22 character, and that he or she holds a professional degree from  
23 a division, school, college, or a university department of  
24 pharmacy recognized by the ~~State Board of Pharmacy~~ board. Each  
25 applicant shall also be a citizen of the United States or, if  
26 not a citizen of the United States, a person who is legally

1 present in the United States with appropriate documentation  
2 from the federal government.

3 "(c) The applicant shall have completed an approved  
4 practical training program under the supervision of a licensed  
5 pharmacist in a site recognized by the board as qualified for  
6 training pharmacy externs and interns, the training standards  
7 to be established by the board as long as the standards are  
8 not less than those set by the National Association of Boards  
9 of Pharmacy. The completion of the practical training  
10 requirements shall be attested by affidavit from the licensed  
11 pharmacist preceptor under whom the training is served.

12 "(d) (1) The applicant shall pass an examination  
13 administered by the ~~board~~ National Association of Boards of  
14 Pharmacy or other entity approved by the board in subjects  
15 consistent with those required by the National Association of  
16 Boards of Pharmacy and in accordance with the rules ~~and~~  
17 ~~regulations~~ of the board. In case of failure of a first  
18 examination, the applicant shall have within three years the  
19 privilege of a second and third examination. In case of  
20 failure in the third examination, the applicant shall be  
21 eligible for only one additional examination and this only  
22 after he or she has satisfactorily completed additional  
23 preparation as directed and approved by the board.

24 "(2) An applicant may be admitted to the examination  
25 provided all of the ~~foregoing~~ requirements in subsections (a),  
26 (b), and (c) are met, and in addition, that affidavits

1       attesting to the prescribed practical training program have  
2       been presented to the secretary prior to the examination.

3               "(3) An application for examination by the board may  
4       be denied if the applicant is proven to have been involved in  
5       any violation of this chapter. An applicant who has been  
6       expelled from an examination for cribbing, cheating, or other  
7       dishonest conduct shall not be permitted to complete the  
8       examination applied for and shall not be permitted to file a  
9       new application for examination during the balance of the same  
10      calendar year or the calendar year next following the  
11      expulsion.

12              "(e) The board may issue a license without  
13      examination to an applicant who furnishes satisfactory proof  
14      that he or she has been licensed to practice pharmacy by  
15      examination in another state that under like conditions grants  
16      reciprocal licensure without examination to pharmacists duly  
17      licensed by examination in this state, that he or she is a  
18      person of good moral character and temperate habits, and  
19      provided that the requirements in the state from which the  
20      applicant is reciprocating were no less than the requirements  
21      of the National Association of Boards of Pharmacy. The  
22      application shall be accompanied by a fee set by the board.  
23      Each applicant for licensure by reciprocity shall be  
24      personally interviewed by two or more members of the board  
25      before being granted a license, and the applicant shall pass ~~a~~  
26      ~~written~~ an examination on the laws governing the practice of  
27      pharmacy in this state. The applicant shall be approved for

1 reciprocity by the board prior to the time that he or she  
2 begins the duties of a licensed pharmacist in this state. No  
3 applicant shall be granted reciprocal licensure unless all  
4 evidence and supporting documents of licensure in the state  
5 from which the applicant is reciprocating are approved as  
6 meeting the requirements for reciprocity of the National  
7 Association of Boards of Pharmacy. The board shall set and  
8 collect a fee for submitting and certifying grades for  
9 reciprocity in other states.

10 "§34-23-52.

11 "(a) All certificates of licensure shall expire on  
12 December 31 of even-numbered years. ~~Every licensed pharmacist~~  
13 ~~in~~ In order to continue to be licensed, every licensed  
14 pharmacist shall pay to the secretary of the board a biennial  
15 renewal fee to be determined by the board, but the fee shall  
16 not be less than twenty-five dollars (\$25) nor more than one  
17 hundred fifty dollars (\$150). ~~to the secretary of the board,~~  
18 ~~the fee being~~ The renewal fee shall be due on October 31 and  
19 delinquent after December 31 of even-numbered years, ~~except~~  
20 that holders of life certificates to practice pharmacy  
21 previously issued shall not be required to pay a renewal fee.  
22 The payment of the renewal fee shall entitle the registrants  
23 to renewal of their certificates at the discretion of the  
24 board. If any pharmacist ~~shall fail~~ fails to pay a renewal fee  
25 on or before the due date, the holder of the certificate may  
26 be reinstated as a licensed pharmacist only upon payment of a  
27 penalty of ten dollars (\$10) for each lapsed month and all

1       lapsed fees, provided the lapsed time of registration ~~shall~~  
2       may not exceed five years, in which case reinstatement may ~~be~~  
3       ~~had~~ occur only upon satisfactory examination by the board.

4               "(b) In addition to any fee requirements, each  
5       pharmacist ~~is~~ shall be required to complete ~~15 hours of~~  
6       continuing education ~~per calendar year, of which three hours~~  
7       ~~shall be live presentation~~ for each renewal period, as  
8       determined by the board by rule."

9               Section 2. This act shall become effective on the  
10       first day of the third month following its passage and  
11       approval by the Governor, or its otherwise becoming law.