

FIRST REGULAR SESSION

[PERFECTED]

HOUSE BILL NO. 257

100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE STEPHENS (128).

0782H.01P

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal section 338.140, RSMo, and to enact in lieu thereof one new section relating to the scope of disciplinary procedure of the board of pharmacy.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 338.140, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 338.140, to read as follows:

338.140. 1. The board of pharmacy shall have a common seal, and shall have power to adopt such rules and bylaws not inconsistent with law as may be necessary for the regulation of its proceedings and for the discharge of the duties imposed pursuant to sections 338.010 to 338.198, and shall have power to employ an attorney to conduct prosecutions or to assist in the conduct of prosecutions pursuant to sections 338.010 to 338.198.

2. The board shall keep a record of its proceedings.

3. The board of pharmacy shall make annually to the governor and, upon written request, to persons licensed pursuant to the provisions of this chapter a written report of its proceedings.

4. The board of pharmacy shall appoint an advisory committee composed of six members, one of whom shall be a representative of pharmacy but who shall not be a member of the pharmacy board, three of whom shall be representatives of wholesale drug distributors as defined in section 338.330, one of whom shall be a representative of drug manufacturers, and one of whom shall be a licensed veterinarian recommended to the board of pharmacy by the board of veterinary medicine. The committee shall review and make recommendations to the board on the merit of all rules and regulations dealing with pharmacy distributors, wholesale

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

16 drug distributors, drug manufacturers, and veterinary legend drugs which are proposed by the
17 board.

18 5. A majority of the board shall constitute a quorum for the transaction of business.

19 6. Notwithstanding any other provisions of law to the contrary, the board may issue
20 letters of reprimand, censure or warning to any holder of a license or registration required
21 pursuant to this chapter for any violations that could result in disciplinary action as defined in
22 section 338.055. **Alternatively, at the discretion of the board, the board may enter into a**
23 **voluntary compliance agreement with a licensee, permit holder, or registrant to ensure or**
24 **promote compliance with chapter 338 and the rules of the board, in lieu of board**
25 **discipline. The agreement shall be a public record. The time limitation identified in**
26 **section 324.043 for commencing a disciplinary proceeding shall be tolled while an**
27 **agreement authorized by this section is in effect.**

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