

FIRST REGULAR SESSION

SENATE BILL NO. 253

100TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR SATER.

Read 1st time January 15, 2019, and ordered printed.

ADRIANE D. CROUSE, Secretary.

1193S.011

AN ACT

To repeal section 338.140, RSMo, and to enact in lieu thereof one new section relating to board of pharmacy compliance agreements.

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Section A. Section 338.140, RSMo, is repealed and one new section
2 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
2 have power to adopt such rules and bylaws not inconsistent with law as may be
3 necessary for the regulation of its proceedings and for the discharge of the duties
4 imposed pursuant to sections 338.010 to 338.198, and shall have power to employ
5 an attorney to conduct prosecutions or to assist in the conduct of prosecutions
6 pursuant to sections 338.010 to 338.198.

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

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

11 4. The board of pharmacy shall appoint an advisory committee composed
12 of six members, one of whom shall be a representative of pharmacy but who shall
13 not be a member of the pharmacy board, three of whom shall be representatives
14 of wholesale drug distributors as defined in section 338.330, one of whom shall
15 be a representative of drug manufacturers, and one of whom shall be a licensed
16 veterinarian recommended to the board of pharmacy by the board of veterinary
17 medicine. The committee shall review and make recommendations to the board
18 on the merit of all rules and regulations dealing with pharmacy distributors,
19 wholesale drug distributors, drug manufacturers, and veterinary legend drugs
20 which are proposed by the board.

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

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

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Bill

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