

ORIGINAL SENATE
FILE NO. SF0099

ENROLLED ACT NO. 66, SENATE

SIXTY-THIRD LEGISLATURE OF THE STATE OF WYOMING
2015 GENERAL SESSION

AN ACT relating to professions and occupations; amending membership and duties of the state board of pharmacy; amending the rate of compensation received by board members as specified; amending requirements of the Wyoming Pharmacy Act as specified; providing for electronic pharmacist examinations; allowing for electronic memorandum for prescription records; repealing archaic provisions related to the sale of poison by pharmacists; and providing for an effective date.

Be It Enacted by the Legislature of the State of Wyoming:

Section 1. W.S. 33-24-102(a), 33-24-103(d), 33-24-108(b), 33-24-117, 33-24-118, 33-24-120, 33-24-135(d) and 33-24-136(a) and (b) are amended to read:

33-24-102. State board of pharmacy; generally.

(a) There is created a state board of pharmacy whose duty is to carry out the purposes and to enforce the provisions of this act. The board shall consist of ~~seven (7)~~ nine (9) voting members consisting of ~~four (4)~~ five (5) pharmacists, one (1) physician, one (1) dentist or veterinarian, ~~and~~ one (1) member of the public and one (1) ~~ex officio~~ pharmacy technician, who shall be appointed by the governor, by and with the advice and consent of the senate. ~~Members of the now existing board of pharmacy shall continue in office as voting members as if regularly appointed under this act. Their terms shall expire in accordance with their original appointments and be filled in accordance with the provisions of W.S. 28-12-101. The ex officio member shall have no vote and shall have no part of licensing procedures or license suspension or revocation actions.~~

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33-24-103. State board of pharmacy; qualifications of members; limitation on terms; prohibited affiliations.

(d) A pharmacy technician licensed pursuant to article 3 of this chapter and actively practicing as a pharmacy technician in Wyoming shall be eligible to be ~~an ex officio~~ a voting member of the board if the person is a United States citizen and a resident of this state and at the time of appointment has been employed as a pharmacy technician in Wyoming continuously for at least five (5) years.

33-24-108. State board of pharmacy; creation of indebtedness; compensation of members; employment and compensation of staff; legal counsel.

(b) Out of the fees collected and funds assessed by the board, each of the members of the board shall receive ~~compensation at the rate of fifty dollars (\$50.00) salary in the same manner and amount as members of the Wyoming legislature~~ for each full or partial day actually engaged in the duties of his office and shall be reimbursed for per diem and mileage as provided in W.S. 33-1-302(a)(vii). Per diem and mileage expenses shall be paid from the board's account.

33-24-117. Examination required.

The applicant shall pass ~~a written and practical~~ an examination, which has been adopted by the board, in a manner satisfactory to a reasonable board. The ~~written~~ examination shall be, so far as the board shall deem practicable, on such subjects as are prescribed in the curriculum and taught in the accredited colleges and universities which offer courses of study leading to the

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degree above described and required, on the ethical and practical aspects of the practice of pharmacy which will confront a successful applicant in the practice of the profession in Wyoming, and on the laws and rules relating thereto. The ~~practical~~ examination shall be ~~held at a place designated by the board~~ offered in the manner prescribed by ~~it~~ the board.

33-24-118. Registration of applicant; issuance of license; contents of license or certificate of registration.

Upon an applicant passing the ~~written and practical examinations~~ examination the board shall cause his name and residence to be registered in a ~~book~~ record kept by it for that purpose; and if the application is complete and there are no known grounds for denial of the license requested, the board shall issue to the applicant a license as evidence of his eligibility to practice pharmacy. The license, or certificate of registration shall contain, along with the other advisory information, the name of the person to whom issued, the date of issuance, and a special registration number designed by the board for exclusive identification of the registrant.

33-24-120. Records as prima facie evidence.

The board shall keep a record ~~book~~ in which shall be recorded the names and addresses and pertinent information of all applicants and such other matters as shall afford a full record of its activities; the records or transcripts therefrom, duly certified by the secretary of the board, ~~with the seal of the board attached,~~ shall be prima facie evidence before all the courts of this state of the entries therein contained.

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33-24-135. Internship.

(d) Each prospective intern shall be licensed by the board upon payment of a fee and shall register ~~in writing immediately upon beginning any period of service by~~ application giving the intern's name and address, ~~address of the pharmacy at which service is undertaken and the name, address and registration number of each preceptor at that place.~~ Upon terminating each period of service, the intern shall immediately notify the board in writing. ~~The first notice of undertaking internship shall include a complete statement of the intern's qualifications therefor, attested to under oath by the intern. Forms therefor will be provided by the board.~~ Under its regulations the board may provide for consideration and acceptance of internship served in other jurisdictions.

33-24-136. Filing memorandum of prescription; labels generally; prescription defined; counseling and patient profiles.

(a) Every person who prepares, compounds, processes, packages or repackages, dispenses, fills or sells or offers for sale, at retail or in connection with operation of a health care facility, any prescription, shall place the written ~~memorandum~~ or electronic record of the prescription in a separate file marked and kept for that purpose, and shall affix a label to the container in which the prescribed substance is dispensed bearing the name and address of the pharmacy and initials of the dispensing pharmacist, or of the preceptor if the dispenser is an intern, the date on which the prescription is filed in the pharmacy's files, the name of the person who prescribed the substance, the name of the patient or customer for whom the

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prescription was made and directions for use by the patient as directed on the prescription by the prescriber.

(b) "Prescription" means an order for medication by a person licensed and authorized by the state board of medicine, the state board of dental examiners, the state board of nursing, the state board of registration in podiatry, the state board of examiners in optometry or the state board of veterinary medicine which is dispensed to or for an ultimate user, but does not include an order for medication which is dispensed for immediate administration to the ultimate user. Each prescription ~~memorandum—record~~ shall be maintained and ~~open—~~available for inspection by agents of the board for a period of two (2) years from the date it is filed.

Section 2. W.S. 33-24-137 and 33-24-138 are repealed.

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Section 3. This act is effective July 1, 2015.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the Senate.

Chief Clerk