

By: Representatives Dedeaux, Bailey, Clarke,
Robinson (63rd)

To: Public Health and Human
Services; Appropriations

HOUSE BILL NO. 1093

1 AN ACT TO AMEND SECTIONS 73-21-85 AND 73-21-111, MISSISSIPPI
2 CODE OF 1972, TO REQUIRE THAT THE STATE BOARD OF PHARMACY CONDUCT
3 BACKGROUND CHECKS ON ANY APPLICANT FOR PHARMACY LICENSURE AND ANY
4 APPLICANT FOR PHARMACY TECHNICIAN REGISTRATION; TO REQUIRE THAT
5 THE DEPARTMENT OF PUBLIC SAFETY ASSIST THE BOARD IN COLLECTING
6 INFORMATION NECESSARY IN CONDUCTING BACKGROUND CHECKS; AND FOR
7 RELATED PURPOSES.

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

9 **SECTION 1.** Section 73-21-85, Mississippi Code of 1972, is
10 amended as follows:

11 73-21-85. (1) To obtain a license to engage in the practice
12 of pharmacy by examination, or by score transfer, the applicant
13 shall:

14 (a) Have submitted a written application on the form
15 prescribed by the board;

16 (b) Be of good moral character;

17 (c) Have graduated from a school or college of pharmacy
18 accredited by the American Council of Pharmaceutical Education and
19 have been granted a pharmacy degree therefrom;

20 (d) Have successfully passed an examination approved by
21 the board;

22 (e) Have paid all fees specified by the board for
23 examination, not to exceed the cost to the board of administering
24 the examination;

25 (f) Have paid all fees specified by the board for
26 licensure; and

27 (g) Have submitted evidence of externship and/or
28 internship as specified by the board.

29 (2) To obtain a license to engage in the practice of
30 pharmacy, a foreign pharmacy graduate applicant shall obtain the
31 National Association of Boards of Pharmacy's Foreign Pharmacy
32 Graduate Examination Committee's certification, which shall
33 include, but not be limited to, successfully passing the Foreign
34 Pharmacy Graduate Equivalency Examination and attaining a total
35 score of at least five hundred fifty (550) on the Test of English
36 as a Foreign Language (TOEFL), and shall:

37 (a) Have submitted a written application on the form
38 prescribed by the board;

39 (b) Be of good moral character;

40 (c) Have graduated and been granted a pharmacy degree
41 from a college or school of pharmacy recognized and approved by
42 the National Association of Boards of Pharmacy's Foreign Pharmacy
43 Graduate Examination Committee;

44 (d) Have paid all fees specified by the board for
45 examination, not to exceed the cost to the board of administering
46 the examination;

47 (e) Have successfully passed an examination approved by
48 the board;

49 (f) Have completed the number of internship hours as
50 set forth by regulations of the board; and

51 (g) Have paid all fees specified by the board for
52 licensure.

53 (3) Each application or filing made under this section shall
54 include the social security number(s) of the applicant in
55 accordance with Section 93-11-64, Mississippi Code of 1972.

56 (4) To insure that all applicants are of good moral
57 character, the Board shall conduct a background check of all
58 applicants for a license. In conducting such checks, the Board
59 shall be authorized to seek assistance from the Department of
60 Public Safety. The Department of Public Safety shall assist the

61 Board in collecting necessary information in association with
62 the background checks.

63 **SECTION 2.** Section 73-21-111, Mississippi Code of 1972, is
64 amended as follows:

65 73-21-111. (1) The board shall make, adopt, amend and
66 repeal from time to time such rules and regulations for the
67 regulation of supportive personnel as may be deemed necessary by
68 the board.

69 (2) Every person who acts or serves as a pharmacy technician
70 in a pharmacy that is located in this state and permitted by the
71 board shall obtain a registration from the board. To obtain a
72 pharmacy technician registration the applicant must:

73 (a) Have submitted a written application on a form(s)
74 prescribed by the board; and

75 (b) Be of good moral character; and

76 (c) Have paid the initial registration fee not to
77 exceed One Hundred Dollars (\$100.00).

78 (3) Each pharmacy technician shall renew his or her
79 registration annually. To renew his or her registration, a
80 technician must:

81 (a) Submit an application on a form prescribed by the
82 board; and

83 (b) Pay a renewal fee not to exceed One Hundred Dollars
84 (\$100.00) for each annual registration period. The board may add
85 a surcharge of not more than Five Dollars (\$5.00) to the
86 registration renewal fee to assist in funding a program that
87 assists impaired pharmacists, pharmacy students and pharmacy
88 technicians.

89 (4) To insure that all applicants are of good moral
90 character, the Board shall conduct a background check of all
91 applicants for registration. In conducting such checks, the Board
92 shall be authorized to seek assistance from the Department of
93 Public Safety. The Department of Public Safety shall assist the

94 Board in collecting necessary information in association with the
95 background checks.

96 **SECTION 3.** This act shall take effect and be in force from
97 and after July 1, 2005.