

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

To: Public Health and Human  
Services; Appropriations

HOUSE BILL NO. 1093  
(As Passed the House)

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 THAT  
7 SUCH DEPARTMENT SHALL BE REIMBURSED BY THE BOARD FOR ACTUAL COSTS  
8 RELATED TO COLLECTING SUCH INFORMATION; AND FOR RELATED PURPOSES.

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

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

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

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

17 (b) Be of good moral character;

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

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

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

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

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

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

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

40           (b) Be of good moral character;

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

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

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

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

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

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

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

62 board in collecting necessary information in association with  
63 the background checks.

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

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

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

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

76 (b) Be of good moral character; and

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

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

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

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

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

95 board in collecting necessary information in association with the  
96 background checks. The Board of Pharmacy shall reimburse the  
97 Department of Public Safety for actual costs in assisting the  
98 board in collecting such information.

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