

By: Senator(s) Mettetal

To: Public Health and Welfare

SENATE BILL NO. 2936

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 OF 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 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 a license. 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  
95 background checks.

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