

PHARMACY BOARD [657]

Notice of Intended Action

The Board of Pharmacy hereby proposes to amend Chapter 2, “Pharmacist Licenses,” Chapter 4, “Pharmacist-Interns,” Chapter 25, “Child Support Noncompliance,” Chapter 31, “Student Loan Default or Noncompliance with Agreement for Payment of Obligation,” and Chapter 32, “Nonpayment of State Debt,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is proposed under the authority provided in Iowa Code sections 147.10, 147.11, 147.34, 147.36, 147.44, 147.53, 147.80, 147.76, 155A.6, 155A.9, 155A.11, 155A.40, 155A.44, and 272C.2 through 272C.4.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code sections 147.2 through 147.5, 147.9 through 147.11, 147.34, 147.36, 147.44, 147.49, 147.53, 147.55, 147.76, 147.80, 155A.6, 155A.7 through 155A.9, 155A.11, 155A.12, 155A.19, 155A.40, 155A.44, 155A.46, and 272C.2 through 272C.4.

Purpose and Summary

The Board conducted an overall five year review of Chapter 2 pursuant to Iowa Code section 17A.7(2). Proposed amendments include:

- Addition of rules identifying the “Purpose and scope” and “Definitions” for the chapter, consistent with other chapters of Board rules;
- Addition of the word “nonrefundable” as it relates to the submission of fees, consistent with language added in other Board rules;
- Updates to the licensure application, examination eligibility, and license transfer processes through NABP to be consistent with current procedures;
- Updates to the licensure application process for a foreign pharmacy graduate through the Foreign Pharmacy Graduate Examination Committee to be consistent with current procedures;
- Removal of language relating to a surcharge pursuant to 657—Chapter 30 as the board discontinued assessing a surcharge several years ago;
- Addition of a fee for a written license verification;
- Expansion of the options for foreign pharmacy graduates to fulfill internship requirements at Iowa-licensed pharmacies other than just community or hospital pharmacies;
- Removal of the option of a foreign pharmacy graduate to petition the Board for credit towards internship resulting from the pharmacy graduate’s pharmacy experience in a foreign country;
- Updates to language relating to the continuing education requirements for pharmacists to be consistent with more commonly used terminology;

- Addition of an exemption for continuing education requirements for pharmacists who are not living or practicing in Iowa but who are licensed and practicing in another state as well as for active duty military personnel;
- Addition of a criminal history record check for pharmacist licensure candidates prior to initial licensure;
- Addition of a requirement that a pharmacist notify the board within 30 days of any criminal conviction or disciplinary action;
- Removal of the requirement that a pharmacist notify the board in advance of the pharmacist's intent to complete a Continuing Professional Development portfolio;
- Update to the language relating to the submission of a pharmacist-intern's notarized affidavit of internship to the board within six months of graduation;
- Updates cross references where appropriate; and
- Other nonsubstantive changes and rearrangement of rules or subrules to provide consistency and clarification.

Fiscal Impact

This rule making has no fiscal impact to the state of Iowa.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Board for a waiver of the discretionary provisions, if any, pursuant to 657—Chapter 34.

Public Comment

Any interested person may submit comments concerning this proposed rule making. Written comments in response to this rule making must be received by the Board no later than 4:30 p.m. on _____, 2019. Comments should be directed to:

Sue Mears, RPh
 Compliance Officer
 Iowa Board of Pharmacy
 400 S.W. 8th Street, Suite E
 Des Moines, IA 50309
 Sue.mears@iowa.gov

Public Hearing

No public hearing is scheduled at this time. As provided in Iowa Code section 17A.4(1) "b," an oral presentation regarding this rule making may be demanded by 25 interested persons, a governmental subdivision, the Administrative Rules Review Committee, an agency, or an association having 25 or more members.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request

by any individual or group, review this rule making at its regular monthly meeting or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rule-making action is proposed:

ITEM 1. Rescind rules **657—2.5(155A)** and **657—2.7(147)**.

ITEM 2. Renumber rules **657—2.6(147)** as **657—2.7(147)**, **657—2.4(155A)** as **657—2.6(155A)**, **657—2.1(147,155A)** as **657—2.4(147,155A)**, and **657—2.2(155A)** as **657—2.5(155A)**.

ITEM 3. Adopt the following **new** rule(s) **657—2.1(147,155A)**:
657—2.1(147,155A) Purpose and scope. The purpose of this chapter is to set the minimum standards and application process for obtaining and maintaining pharmacist licensure in this state. The rules shall apply to pharmacists who seek or hold pharmacist licensure in Iowa.

ITEM 4. Adopt the following **new** rule(s) **657—2.2(147,155A)**:

657—2.2(147,155A) Definitions. For the purposes of this chapter, the following definitions shall apply:

“*Board*” means the board of pharmacy.

“*Continuing pharmacy education*” or “*CPE*” means a structured educational activity that is applicable to the practice of pharmacy, that promotes problem solving and critical thinking, and that is designed or intended to support the continuing development of pharmacists to maintain and enhance their competence in the practice of pharmacy.

“*Continuing professional development*” or “*CPD*” means a self-directed, ongoing, systematic, and outcomes-focused approach to learning and professional development including active participation in learning activities that assist a pharmacist in developing and maintaining continuing competence in the practice of pharmacy, enhancing the pharmacist's professional practice, and supporting achievement of the pharmacist's career goals.

“*CPE monitor*” means the program administered by NABP to collect and store CPE data for pharmacy professionals.

“*NABP*” means the National Association of Boards of Pharmacy.

“*Renewal period*” means the 27-month period commencing April 1 prior to the previous license expiration and ending June 30, the date of current license expiration.

ITEM 5. Rescind rule **657—2.3(147,155A)** and adopt the following **new** rule in lieu thereof:
657—2.3(147,155A) License and criminal history record check required.

2.3(1) License required. Prior to engaging in the practice of pharmacy in Iowa, a pharmacist shall have an active Iowa pharmacist license pursuant to rule **657—2.4(147,155A)**, rule **657—2.8(155A)**, or rule **657—2.9(147,155A)**.

2.3(2) Criminal history record check required. Upon receipt of an initial licensure application pursuant to subrule 2.3(1), the board shall provide a fingerprint packet to the applicant, who shall submit to the board the completed fingerprint packet and a signed waiver form to facilitate a national criminal history background check of the applicant. The cost of the evaluation of the fingerprint packet and the Iowa division of criminal investigation and the United States

Federal Bureau of Investigation criminal history background checks will be assessed to the applicant.

ITEM 6. Amend renumbered rule 657—2.4(147,155A) as follows:

657—2.4 (147,155A) Licensure by examination. The board of pharmacy, in conjunction with the National Association of Boards of Pharmacy (NABP), shall provide for the administration of pharmacist licensure examinations.

2.4(1) and 2.4(2) No change.

2.4(3) Examination results. Examination scores and original license certificates shall be provided as soon after the examinations as possible.

ITEM 7. Amend renumbered rule 657—2.5(155A) as follows:

657—2.5(155A) Application for examination—requirements. Application for examination shall be on forms provided by the board, and all requested information shall be provided on or with such application. An applicant shall complete the NABP Computerized Examination Registration Form to additionally apply for registration eligibility to take the NAPLEX and the MPJE, Iowa edition, at nabp.pharmacy/programs. ~~An applicant shall complete an additional registration form to apply for registration to take the MPJE, Iowa Edition.~~

2.5(1) and 2.5(2) No change.

2.5(3) Fee. The nonrefundable fee for examination shall consist of the biennial license fee, a processing fee, and examination registration fees.

a. The biennial license fee shall be \$180 and the processing fee shall be \$72. The nonrefundable biennial license fee and processing fee shall be submitted to the board with the application for licensure by examination.

b. The examination registration fee shall be an amount determined by NABP and submitted pursuant to NABP direction at nabp.pharmacy/programs when submitting an application for eligibility to take the NAPLEX and/or the MPJE, Iowa edition.

2.5(4) College graduation certification. Each applicant, with the exception of a foreign pharmacy graduate who shall comply with rule 657—2.10(147,155A), shall furnish a certificate from a recognized college of pharmacy stating that the applicant has successfully graduated from a school or college of pharmacy with either a bachelor of science degree in pharmacy or a doctor of pharmacy degree. Certification shall be completed by an individual authorized by the college on a form provided by the board. A recognized college of pharmacy is a United States institution that meets the minimum standards of the Accreditation Council of Pharmaceutical Education and appears on its list of accredited colleges of pharmacy published by the council as of July 1 of each year.

2.5(5) Foreign pharmacy graduates. In addition to the requirements of this rule, except as provided in subrule 2.5(4), an applicant who is a graduate of a school or college of pharmacy located outside the United States that has not been recognized and approved by the board shall obtain certification by the Foreign Pharmacy Graduate Examination Committee (FPGEC) pursuant to rule 657—2.10(155A).

ITEM 8. Amend renumbered rule 657—2.6(155A) as follows:

657—2.6 (155A) Internship requirements. Each applicant, except for an applicant for license transfer, shall furnish to the board evidence certifying completion of satisfactory internship experience. The board will not certify an applicant eligible to take any of the examination components prior to receipt of evidence of satisfactory completion of internship experience. Internship experience shall comply with the requirements in 657—Chapter 4. Internship experience completed in compliance with the requirements in 657—Chapter 4 shall be valid for application for licensure in Iowa by examination or score transfer for a period of three years following graduation from an approved college of pharmacy or as otherwise approved by the board on a case-by-case basis.

ITEM 9. Amend renumbered rule 657—2.7(147) as follows:

657—2.7(147) Reexamination applications and fees. A candidate who fails to pass either the NAPLEX or the MPJE, Iowa Edition, once shall be allowed to schedule a time to retake the examination as provided in this rule. To ensure the integrity of the examinations, no waiver or variance of the specified waiting period between reexaminations will be granted.

2.7(1) to 2.7(3) No change.

2.7(4) Applications and fees. Each applicant for reexamination shall file an application on forms provided by the board. A nonrefundable processing fee of \$36 will be charged for each NAPLEX or MPJE, Iowa Edition, reexamination and shall be paid to the board ~~as provided in subrule 2.3(1)~~. In addition, ~~candidates will be required to~~ the applicant shall complete the ~~appropriate examination registration application as provided in rule 657—2.2(155A) and to pay to NABP the registration and administration fees for each examination as provided in subrule 2.3(2)~~ application process for reexamination and pay the required fee for reexamination as determined by NABP at nabp.pharmacy/programs. All applications, registration forms, and fees shall be submitted as provided in subrules 2.3(2) and 2.3(3).

ITEM 10. Amend rule 657—2.8(155A) as follows:

657—2.8 (155A) ~~Transfer of examination scores~~ Licensure by score transfer. The board of ~~pharmacy~~ participates in the NAPLEX score transfer program offered by NABP. This program allows candidates for pharmacist licensure to take the standardized NAPLEX in one state and have the score from that examination transferred to other participant states in which the candidate is seeking licensure. MPJE scores cannot be transferred.

2.8(1) ~~Score transfer application~~ Application for score transfer. ~~The NAPLEX Score Transfer Form must be completed and submitted with the proper fee to NABP prior to, or postmarked no later than, the date on which the candidate takes the NAPLEX. The fee to NABP for score transfer is determined by NABP. Payment shall be made in the form of a money order or certified check payable to the National Association of Boards of Pharmacy. NABP makes no refunds of score transfer fees. To participate in the NABP score transfer program, an applicant~~

shall complete all required application requirements and submit required fees as determined by NABP at nabp.pharmacy/programs.

~~2.8(2) Requirements and deadline. Score transfer candidates~~ Applicants for licensure by score transfer shall meet the requirements established in rules ~~657—2.1(147,155A) 657—2.4(147,155A)~~ through ~~657—2.5(155A) 657—2.6(155A)~~ within 12 months of the date of score transfer. ~~No refund of fees paid to the board will be made for failure to complete all licensure requirements within this one-year period.~~

~~2.8(3) Fees.~~ In addition to the score transfer fee identified in subrule 2.8(1), fees for licensure pursuant to the NABP score transfer program shall consist of the fees identified in ~~rule 657—2.3(147,155A) subrule 2.5(3), paragraph “a”~~ excluding the NAPLEX examination registration and administration fees.

ITEM 11. Amend rule 657—2.9(147,155A) as follows:

~~657—2.9 (147,155A) Licensure by license transfer/reciprocity.~~ An applicant for license transfer/~~reciprocity~~ must be a pharmacist licensed by examination in a state or territory of the United States ~~with which Iowa has a reciprocal agreement~~, and the license by examination upon which the transfer is based must be in good standing at the time of the application and license transfer. All candidates shall take and pass the MPJE, Iowa Edition, as provided in subrule ~~2.1(1) 2.4(1)~~. Any candidate who fails to pass the examination shall be eligible for reexamination as provided in rule ~~657—2.6(147) 2.7(147)~~.

~~2.9(1) Eligibility.~~ Each applicant for license transfer to this state who obtains the applicant’s original license after January 1, 1980, must have passed the NABP Licensure Examination (NABPLEX), the NAPLEX, or an equivalent examination as determined by NABP.

~~a. Preliminary application~~ Application for license transfer. Each applicant for license transfer/~~reciprocity~~ to Iowa shall complete ~~and submit to the online application and pay the required fee as determined by NABP at nabp.pharmacy/programs, with the appropriate fee as indicated on the application, the NABP Preliminary Application for Transfer of Pharmaceutic Licensure.~~ Refunds of fees paid to NABP shall be at the discretion of NABP.

~~b. No change.~~

~~2.9(2) Application requirements.~~ Application to the board shall consist of the ~~final~~ application for license transfer ~~that is prepared by NABP and electronically submitted to the board~~ pursuant to the NABP license transfer program. A foreign pharmacy graduate shall submit certification from the FPGEC as provided in subrule 2.10(1). ~~Applications, together with other required information and fees, shall be submitted as provided in subrule 2.3(3).~~

~~2.9(3) MPJE required.~~ An applicant shall also ~~be required to submit the registration application for~~ successfully pass the MPJE, Iowa Edition, as provided in ~~rule 657—2.2(155A) subrule 2.4(1).~~ The form and fees shall be submitted as provided in subrules ~~2.3(2) and 2.3(3).~~

~~2.9(4) Fees.~~ The nonrefundable fee for license transfer shall consist of the biennial license fee established by rule ~~657—2.11(147,155A) including surcharge of \$180~~ and a processing fee of \$90. ~~No refunds of the processing fee shall be made for cancellation or withdrawal of an application. The license fee and processing fee shall be payable to the Iowa Board of Pharmacy~~

~~and may be remitted in the form of personal check, money order, cashier's check, or certified check.~~

~~2.9(5) Timeliness. A final~~ An application for license transfer is valid for 12 months following the date of issuance by NABP. ~~A candidate~~ An applicant for license transfer shall complete, within that one-year period, all licensure requirements established by this rule. ~~No refund of fees will be made for failure to complete all licensure requirements within this one-year period.~~

ITEM 12. Amend rule 657—2.10(155A) as follows:

657—2.10 (155A) Foreign pharmacy graduates.

2.10(1) Education equivalency. Any applicant who is a graduate of a school or college of pharmacy located outside the United States that has not been recognized and approved by the board shall be deemed to have satisfied the requirements of Iowa Code section 155A.8, subsection 1, by certification by the Foreign Pharmacy Graduate Examination Committee (FPGEC). Each applicant shall have successfully passed the Foreign Pharmacy Graduate Equivalency Examination (FPGEE) given by the FPGEC established by ~~the~~ NABP. The FPGEE is hereby recognized and approved by the board. Each applicant shall also demonstrate ~~proficiency in written English by passing the Test of English as a Foreign Language (TOEFL) and proficiency in spoken English by passing the Test of Spoken English (TSE) or~~ proficiency in basic English language skills by passing the Internet Based TOEFL (TOEFL iBT) given by the FPGEC established by NABP. The ~~TOEFL, TOEFL iBT, and TSE are~~ is hereby recognized and approved by the board. Certification by the FPGEC shall be evidence of the applicant's successfully passing ~~the FPGEE, TSE, and TOEFL, or~~ the FPGEE and TOEFL iBT, and certification is a prerequisite to taking the licensure examinations required in subrule ~~2.4(1)~~ 2.4(1).

2.10(2) Internship. A foreign pharmacy graduate applicant shall also be required to obtain internship experience in one or more board-licensed ~~community or hospital~~ pharmacies as provided in rule 657—4.7(155A). Internship requirements shall, in all other aspects, meet the requirements established in 657—Chapter 4.

ITEM 13. Amend rule 657—2.11(147,155A) as follows:

657—2.11 (147,155A) License expiration and renewal. A license to practice pharmacy shall expire on the second thirtieth day of June following the date of issuance of the license, with the exception that a new pharmacist license issued between April 1 and June 29 shall expire on the third thirtieth day of June following the date of issuance. The license renewal certificate shall be issued upon completion of the renewal application and ~~timely~~ payment of a nonrefundable fee of \$180 fee plus applicable surcharge pursuant to 657—30.8(155A).

2.11(1) Late ~~payment~~ renewal penalty. Failure to renew the license before July 1 following expiration shall require payment of the nonrefundable renewal fee, and a nonrefundable penalty fee of \$180, and applicable surcharge pursuant to 657—30.8(155A). Failure to renew the license before August 1 following expiration shall require payment of the nonrefundable renewal fee, and a nonrefundable penalty fee of \$270, and applicable surcharge pursuant to 657—30.8(155A).

Failure to renew the license before September 1 following expiration shall require payment of the nonrefundable renewal fee, and a nonrefundable penalty fee of \$360, and applicable surcharge pursuant to 657—30.8(155A). Failure to renew the license before October 1 following expiration may require an appearance before the board and shall require payment of ~~the renewal a~~ nonrefundable reactivation fee, a penalty fee of \$450, and applicable surcharge pursuant to 657—30.8(155A). In no event shall the combined fee and penalty fee for late renewal of the license exceed of \$630 plus applicable surcharge pursuant to 657—30.8(155A). The provisions of Iowa Code section 147.11 shall apply to a license that is not renewed within five months of the expiration date.

2.11(2) Delinquent license. If a license is not renewed before its expiration date, the license is delinquent and the licensee may not practice pharmacy in the state of Iowa until the licensee reactivates the delinquent license. Reactivation of a delinquent license shall include submission of a completed application and appropriate nonrefundable fees and may include requirements relating to the reactivation of an inactive license pursuant to subrule 2.13(2). A pharmacist who continues to practice pharmacy in Iowa without a current license may be subject to disciplinary sanctions pursuant to the provisions of 657—subrule ~~36.1(4)~~ 36.6(22).

ITEM 14. Amend rule 657—2.12(272C) as follows:

657—2.12 (272C) Continuing education requirements. Pharmacists shall complete continuing education for license renewal pursuant to the requirements of this rule, except as provided in subrule 2.12(6) or rule 657—2.17(272C). ~~For purposes of this rule, “continuing education” means a structured educational activity that is applicable to the practice of pharmacy, that promotes problem solving and critical thinking, and that is designed or intended to support the continuing development of pharmacists to maintain and enhance their competence in the practice of pharmacy.~~ Nothing in these rules precludes the board from requiring an applicant for license renewal or reactivation to submit to a relicensure examination.

2.12(1) Continuing pharmacy education (CPE) ~~unit~~ required. ~~The nationally accepted measurement of continuing education is referred to as CEU (continuing education unit), and the board employs that measurement. Ten contact hours of approved continuing education are equivalent to one CEU. A pharmacist shall complete no less than 30 hours of CPE during each renewal period except as provided in subrule 2.12(6) or rule 657—2.17(272C).~~

a. ~~The board will require 3.0 CEUs each renewal period except as provided in subrule 2.12(5) or rule 657—2.17(272C). For purposes of this rule, “renewal period” means the 27 month period commencing April 1 prior to the previous license expiration and ending June 30, the date of current license expiration.~~

b.— A pharmacist who fails to complete the required ~~CEUs~~ CPE hours within the renewal period shall be required to complete one and one-half times the number of delinquent ~~CEUs~~ CPE hours prior to reactivation of the license.

e. b. CEUs CPE hours that are used to satisfy the continuing education requirement for one renewal period shall not be used to satisfy the requirement for a subsequent renewal period.

~~d. c.~~ Failure to receive a license renewal application or notice of license renewal shall not relieve the pharmacist of the responsibility of meeting ~~continuing education~~ CPE requirements.

2.12(2) ~~Continuing education~~ CPE activity completion. ~~Continuing education~~

a. ACPE provider activity. CPE activities that carry the seal of an Accreditation Council for Pharmacy Education (ACPE)-accredited provider will automatically qualify for ~~continuing education~~ CPE credit. Successful completion and record of ~~continuing education~~ CPE activities in CPE Monitor is mandated in order for a pharmacist to receive credit for ACPE-accredited provider ~~continuing education~~ CPE activities.

a. b. *Non-ACPE provider activity.* A maximum of ~~1.3 CEUs (13 contact CPE hours)~~ of the total ~~3.0 CEUs~~ 30 CPE hours of ~~continuing education~~ credits required pursuant to subrule 2.12(4) may be obtained through completion of non-ACPE provider activities if such activities are provided by an accredited health-professional continuing education provider, such as a continuing medical education (CME) provider, and if the activity content directly relates to the pharmacist's professional practice. Non-ACPE provider activity completion shall be recorded, evaluated, and reported pursuant to the provisions of rule 657—2.17(272C) regarding continuing professional development.

(1) to (3) No change.

b. ~~Exemption for health-related graduate studies.~~ A pharmacist who is continuing formal education in a health-related graduate program, including participation in a pharmacy residency program, may be exempted from meeting the continuing education requirements during the period of such enrollment or participation. As an alternative to requesting exemption from meeting the continuing education requirements, the pharmacist may complete a CPD portfolio pursuant to rule 657—2.17(272C).

(1) ~~An applicant for this exemption shall petition the board, as soon as possible following enrollment in the qualifying graduate program or commencement of the pharmacy residency program and prior to completion of the qualifying program, on forms provided by the board office.~~

(2) ~~At the discretion of the board, exemption during part-time or short-term enrollment in a health-related graduate program may be prorated for the actual period of such enrollment.~~

2.12(3) ~~Continuing education~~ CPE activity record of credit. An ACPE-accredited provider will be required to transmit to CPE Monitor information regarding an individual pharmacist's participation in and successful completion of a ~~continuing education~~ CPE activity. The record shall be accessible to the board and shall include the following information:

a. to e. No change.

2.12(4) ~~Continuing education~~ CPE activity topics. Each pharmacist is required to obtain continuing education by completing activities in the topics specified in this subrule.

a. *Drug therapy.* A minimum of ~~1.5 CEUs (15 contact CPE hours)~~ of the pharmacist's required ~~3.0 CEUs~~ 30 CPE hours shall be in ACPE-accredited provider activities dealing with drug therapy. Activities qualifying for the drug therapy requirement will include the ACPE topic designator "01" or "02" followed by the letter "P" at the end of the universal activity number.

b. *Pharmacy law.* A minimum of ~~0.2 CEUs (2 contact CPE hours)~~ of the pharmacist's required ~~3.0 CEUs~~ 30 CPE hours shall be in ACPE-accredited provider activities dealing with pharmacy law. Activities qualifying for the pharmacy law requirement will include the ACPE topic designator "03" followed by the letter "P" at the end of the universal activity number.

c. *Patient or medication safety.* A minimum of ~~0.2 CEUs (2 contact CPE hours)~~ of the pharmacist's required ~~3.0 CEUs~~ 30 CPE hours shall be in activities dealing with patient or medication safety. Activities completed to fulfill this requirement may be ACPE-accredited provider activities, in which case the universal activity number will end with the ACPE topic designator "05" followed by the letter "P." A pharmacist may complete non-ACPE provider activities as provided in paragraph 2.12(2) "~~a~~" "b" to fulfill this topic requirement.

d. *Immunization.* If the pharmacist is engaged in the administration of immunizations during the renewal period, a minimum of 1 CPE hour of the required 30 CPE hours shall be in ACPE-accredited provider activities dealing with immunization or vaccine administration. Activities qualifying for the immunization requirement will include the ACPE topic designator of "06" followed by the letter "P" at the end of the universal activity number.

~~2.12(5) New license holders licensed by examination.~~ After the initial license is issued by examination, the new license holder is exempt from meeting continuing education requirements for the first license renewal. However, if the licensee qualifies as a mandatory abuse reporter, the licensee shall not be exempt from mandatory training for identifying and reporting abuse pursuant to rule 657—2.16(235B,272C). Regardless of when the license is first issued, the new license holder will be required to obtain, prior to the second renewal, 30 contact hours (3.0 CEUs) of continuing education pursuant to subrules 2.12(1) through 2.12(4) or to complete a CPD portfolio pursuant to rule 657—2.17(272C).

~~2.12(6) New license holders licensed by license transfer/reciprocity.~~ After the initial license is issued by license transfer, the new license holder will be required to obtain, prior to the first license renewal, 30 contact hours (3.0 CEUs) of continuing education credits pursuant to subrules 2.12(1) through 2.12(4) or to complete a CPD portfolio pursuant to rule 657—2.17(272C).

2.12(7) (5) Reporting continuing education CPE credits.

a. A pharmacist shall provide or report to the board, in the format specified on or with the pharmacist license renewal application, evidence attestation that the continuing education CPE requirements have been met.

b. The board may require a pharmacist to submit activity statements of credit or other documented evidence of successful completion of the activities reported as fulfilling the continuing education CPE requirements.

~~2.12(8) Physical disability or illness.~~ The board may, in individual cases involving physical disability or illness, grant waivers of the minimum continuing education requirements or extensions of time within which to fulfill the same or make the required reports. No waiver or extension of time shall be granted unless written application is made and signed by the licensee and the licensee's physician. The board may grant waivers of the minimum continuing education requirements for physical disability or illness for any period of time not to exceed one renewal

~~period. In the event that the physical disability or illness upon which a waiver has been granted continues beyond the period of the waiver, the licensee must reapply for an extension of the waiver. The board may, as a condition of any waiver granted, require the licensee to make up all or any portion of the waived continuing education requirements by any method prescribed by the board.~~

2.12(6) Exemptions and waivers to CPE requirements.

a. Credit for health-related graduate studies. A pharmacist who is continuing formal education in a health-related graduate program, including participation in a pharmacy residency program, may be granted credit for health-related learning during the period of such enrollment or participation. As an alternative to requesting credit for health-related learning, the pharmacist may complete a CPD portfolio pursuant to rule 657—2.17(272C).

(1) An applicant for credit for health-related learning shall petition the board, as soon as possible following enrollment in the qualifying graduate program or commencement of the pharmacy residency program and prior to completion of the qualifying program, on forms provided by the board.

(2) At the discretion of the board, credit granted for health-related learning during part-time or short-term enrollment in a health-related graduate program may be prorated for the actual period of such enrollment.

b. Exemption for new license holders licensed by examination. After the initial license is issued by examination, the licensee is exempt from meeting continuing education requirements for the first license renewal. However, if the licensee qualifies as a mandatory abuse reporter, the licensee shall not be exempt from mandatory training for identifying and reporting abuse pursuant to rule 657—2.16(235B,272C).

c. Waiver from CPE requirements due to physical disability or illness. The board may, in individual cases involving physical disability or illness, grant a waiver pursuant to 657—Chapter 34 of the minimum CPE requirements or an extension of time within which to fulfill the same or make the required reports. The board may grant a waiver of the minimum CPE requirements for physical disability or illness for any period of time not to exceed one renewal period. In the event that the physical disability or illness upon which a waiver has been granted continues beyond the period of the waiver, the licensee must reapply for an extension of the waiver. The board may, as a condition of any waiver granted, require the licensee to make up all or any portion of the waived CPE requirements by any method prescribed by the board. A waiver request pursuant to this paragraph and 657—Chapter 34 shall be signed by the licensee and the licensee’s physician.

d. Active military duty. A licensee shall be deemed compliant with the CPE requirements of this rule during periods that the licensee serves honorably on active duty in the military services.

e. Nonresident. A licensee who is not actively practicing in Iowa, is a resident of another state, and holds an active pharmacist license in the licensee’s home state during the renewal period shall be deemed compliant with the CPE requirements of this rule.

ITEM 15. Amend rule 657—2.13(272C) as follows:

657—2.13 (272C) Active and inactive license status.

2.13(1) Active license. Active license status applies to a pharmacist who has submitted the renewal application and nonrefundable fee and has met Iowa requirements for continuing education or has completed a CPD portfolio pursuant to rule 657—2.17(272C). Active license status also applies to a pharmacist who has submitted the renewal application and fee and who is a resident of another state, is licensed to practice pharmacy in that state, and has met the continuing education requirements of that state. A pharmacist who meets the continuing education requirements of another state shall provide documentation on the renewal application of the pharmacist’s license status in that state. ~~An Iowa licensee actively practicing in a state that does not require continuing education for license renewal shall be required to meet Iowa continuing education or CPD requirements.~~

2.13(2) Inactive license. Failure of a pharmacist to comply with the continuing education or CPD requirements during the renewal period shall result in the issuance of a renewal card marked “inactive” upon submission of the renewal application and nonrefundable fee. Reactivation of an inactive pharmacist license shall be accomplished by the appropriate method described below. Internship, in each instance where internship is mentioned below, shall be in a pharmacy approved by the board. The pharmacist may be required to obtain a pharmacist-intern registration, including payment of the appropriate nonrefundable registration fee, and be issued an intern registration certificate.

a. No change.

b. An inactive pharmacist who wishes to become active and who has been actively practicing pharmacy during the last five years in a state which does not require continuing education shall submit proof of continued licensure in good standing in the state or states of such practice. The pharmacist shall also complete one of the following options:

(1) Take and successfully pass the MPJE, Iowa Edition, as provided in subrule ~~2.1(1)~~ 2.4(1);

(2) No change;

(3) Obtain one and one-half times the number of ~~continuing education~~ CPE credits required under subrule 2.12(1) for each renewal period the pharmacist was inactive; or

(4) No change.

c. An inactive pharmacist who wishes to become active and who has not been actively practicing pharmacy during the past five years, and whose license has been inactive for not more than five years, shall complete one of the following options:

(1) Successfully pass all components of the licensure examination as required in ~~rule 657—2.1(147,155A)~~ subrule 2.4(1);

(2) No change;

(3) Obtain one and one-half times the number of ~~continuing education~~ CPE credits required under subrule 2.12(1) for each renewal period the pharmacist was inactive; or

(4) No change.

d. An inactive pharmacist who wishes to become active and who has not been actively practicing pharmacy for more than five years shall petition the board for reactivation of the license to practice pharmacy under one or more of the following options:

(1) Successfully pass all components of the licensure examination as required in ~~rule 657—2.1(147,155A)~~ subrule 2.4(1);

(2) No change;

(3) Obtain one and one-half times the number of ~~continuing education~~ CPE credits required under subrule 2.12(1) for each renewal period the pharmacist was inactive; or

(4) No change.

ITEM 16. Amend rule 657—2.14(155A) as follows:

657—2.14 (147,155A) Fees for additional license certificates and verification.

a. Only original license certificates issued by the board of ~~pharmacy~~ for licensed pharmacists are valid. Additional original license certificates for licensed pharmacists may be obtained from the board of ~~pharmacy~~ for a prepaid nonrefundable fee of \$20 each. The fee shall be considered a repayment receipt as defined in Iowa Code section 8.2.

b. The board may require the submission of a nonrefundable fee of \$15 for written license verification.

ITEM 17. Amend rule 657—2.15(155A) as follows:

657—2.15 (155A) Notifications to the board.

2.15(1) Reporting licensee changes. A ~~pharmacist~~ licensee shall report to the board within ten days a change of the ~~pharmacist's~~ licensee's name, address, e-mail address, or pharmacy employment. Except for a change in name, an update to the licensee's personal online profile through the board's online database shall satisfy this subrule.

2.15(2) Reporting criminal convictions. A licensee who has been convicted of, or entered a plea of guilty, nolo contendere, or no contest to a crime, other than a minor traffic offense, shall report such conviction to the board within 30 days of adjudication.

2.15(3) Reporting of disciplinary action. A licensee who has been the subject of disciplinary action, to include but not be limited to citations, reprimands, fines, license restrictions, probation, license surrender, suspension, or revocation in another state shall report such action to the board within 30 days of adjudication.

ITEM 18. Amend rule 657—2.17(272C) as follows:

657—2.17 (272C) Continuing professional development portfolio. A pharmacist may complete and submit with the pharmacist's license renewal a continuing professional development (CPD) portfolio to fulfill the continuing education requirements in rule 657—2.12(272C). ~~For purposes of these rules, "CPD" means a self directed, ongoing, systematic, and outcomes focused approach~~

~~to learning and professional development including active participation in learning activities that assist a pharmacist in developing and maintaining continuing competence in the practice of pharmacy, enhancing the pharmacist's professional practice, and supporting achievement of the pharmacist's career goals. Definitions and descriptions of the terms "continuing education," "CEU," and "renewal period" included in rule 657—2.12(272C) shall apply to those terms as used in this rule.~~

~~**2.17(1) Declaration of intent.** A pharmacist shall declare on or with the previous license renewal, or shall notify the board no later than January 1 of the year the pharmacist's license is scheduled for renewal, of the pharmacist's intent to complete a CPD portfolio for the next license renewal.~~

~~*a.* The pharmacist's declaration of intent shall be in writing. Oral declaration of intent to complete a CPD portfolio will not be accepted.~~

~~*b.* A declaration of intent may be delivered to the board office via e-mail, facsimile transmission, or alternate hard copy delivery.~~

~~**2.17(2) (1) Prerequisite.** A pharmacist, prior to submitting the pharmacist's initial CPD portfolio, shall complete an ACPE-accredited provider activity regarding the objectives and processes relating to CPD. Record of the pharmacist's participation in this prerequisite activity shall be included in the pharmacist's initial CPD portfolio.~~

~~**2.17(3) (2) CPD portfolio requirements.** A pharmacist shall combine traditional ~~continuing education~~ CPE activities with professional development activities. The pharmacist shall incorporate the record of completion and evaluation of any traditional ~~continuing education~~ CPE activities into the CPD portfolio.~~

~~*a.* No change.~~

~~*b.* The pharmacist is responsible for ensuring that the activities identified in the CPD portfolio comply with the continuing education topic requirements identified in subrules 2.12(4) and ~~2.17(4)~~ 2.17(3).~~

~~**2.17(4) (3) CPD portfolio content.** In addition to the record of completion of the one-time prerequisite activity identified in subrule ~~2.17(2)~~ 2.17(1), a completed CPD portfolio shall include or identify the following:~~

~~*a.* A minimum of 30 documented learning outcomes in the form of completed learning statements. ~~The learning statement form or format shall be~~ on forms provided by the board.~~

~~*b.* Documented learning outcomes shall include a minimum of two outcomes relating to patient or medication safety, two outcomes relating to pharmacy law, ~~and~~ 15 outcomes relating to drug therapy, and if the pharmacist is engaged in the administration of immunizations or vaccines one outcome relating to vaccine administration.~~

~~*c.* Documented learning outcomes shall include any number of ~~continuing education~~ CPE activities that carry the seal of an ACPE-accredited provider. Successful completion and record of these continuing education activities in CPE Monitor as provided in subrule ~~2.12(2)~~~~

2.12(3), in addition to the documented CPD learning outcomes, is required for the pharmacist to receive credit for these activities.

d. Documented learning outcomes shall include any ~~continuing education~~ CPE activities provided by non-ACPE, accredited, health-professional continuing education providers pursuant to subrule 2.12(2), paragraph “b”.

2.17(5) (4) *CPD portfolio review.* The board shall review or may contract for peer review of CPD portfolios submitted for pharmacist license renewal. The board shall respond to a submitting pharmacist with comments, suggestions, and recommendations regarding the pharmacist’s CPD portfolio and processes.

ITEM 19. Amend subrule 4.6(4) as follows:

4.6(4) *Identification, reports, and notifications.* Credit for internship time will not be granted unless registration and other required records or affidavits are completed.

a. and *b.* No change.

c. Notarized affidavits of experience in non-college-sponsored programs shall be ~~filed with~~ submitted to the board office after the successful completion of the internship no later than six months following graduation from a college of pharmacy. These affidavits shall certify only the number of hours and dates of training obtained outside a college-based clinical program as provided in rule 657—4.3(155A). An individual registered as a pharmacist-intern while participating in an Iowa residency or fellowship program shall not be required to file affidavits of experience.

ITEM 20. Rescind subrule **4.7(3)**.

ITEM 21. Amend subrule 25.3(5) as follows:

25.3(5) *Reinstatement following license suspension, revocation, or denial of renewal.* A licensee shall pay all board fees required for license renewal or license reinstatement, and all continuing education requirements shall be met, before a license will be reinstated after the board has suspended a license pursuant to the Act. A licensee whose license to practice pharmacy has been revoked shall complete the examination components as indicated in ~~rule 657—2.1(147,155A)~~ subrule 2.4(1) and shall pay all required examination fees pursuant to ~~rule 657—2.3(147,155A)~~ subrule 2.5(3). A licensee whose registration to practice as a pharmacist-intern, as a pharmacy technician, or as a pharmacy support person or whose registration to handle controlled substances under Iowa Code chapter 124 has been revoked shall complete the appropriate application and pay all board fees required for new registration.

ITEM 22. Amend subrule 31.3(5) as follows:

31.3(5) *Reinstatement following license suspension, revocation, or denial of renewal.* All board fees required for license renewal or license reinstatement shall be paid by licensees, and all continuing education requirements shall be met, before a license will be renewed or reinstated after the board has suspended a license pursuant to the Act. A licensee whose license to practice pharmacy has been revoked shall complete the examination components as indicated in ~~rule 657—2.1(147,155A)~~ subrule 2.4(1) and shall pay all required examination fees pursuant to ~~rule 657—2.3(147,155A)~~ subrule 2.5(3). A licensee whose registration to practice as a pharmacist-intern, as

a pharmacy technician, or as a pharmacy support person or whose registration to handle controlled substances under Iowa Code chapter 124 has been revoked shall complete the appropriate application and pay all board fees required for new registration.

ITEM 23. Amend subrule 32.3(5) as follows:

32.3(5) *Reinstatement following license suspension, revocation, or denial of renewal.* All board fees required for license renewal or license reinstatement shall be paid by the licensee and all continuing education requirements shall be met before a license will be renewed or reinstated after the board has suspended a license pursuant to the Act. A licensee whose license to practice pharmacy has been revoked shall complete the examination components as indicated in ~~rule 657—2.10(155A)~~ subrule 2.4(1) and shall pay all required examination fees pursuant to ~~rule 657—2.2(155A)~~ subrule 2.5(3). A licensee whose registration to practice as a pharmacist-intern, as a pharmacy technician, or as a pharmacy support person or whose registration to handle controlled substances under Iowa Code chapter 124 has been revoked shall complete application and pay all board fees required for new registration.