

PHARMACY BOARD [657]

Notice of Intended Action

The Board of Pharmacy hereby proposes to amend Chapter 2, “Pharmacist Licenses,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is proposed under the authority provided in Iowa Code sections 147.44 and 155A.7.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code sections 147.44 and 155A.7.

Purpose and Summary

The proposed amendment would remove the requirement that a pharmacist’s original license issued by examination be current and active at the time of license transfer and allow the pharmacist to license transfer from any state in which the pharmacist holds a current and active license to practice pharmacy. Since 2004, every state in the United States has required successful completion of the same competency exam for initial licensure (since 1986 for all states but California) and, to date, 40 states have removed the requirement that license transfer can only occur from the original license by examination.

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 _____, 2020. Comments should be directed to:

Sue Mears, RPh

Iowa Board of Pharmacy

400 SW 8th Street, Suite E
Des Moines, IA 50309

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:

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

657—2.9(147,155A) Licensure by license transfer. An applicant for license transfer must be a pharmacist licensed ~~by examination~~ in a state or territory of the United States, 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 2.4(1). Any candidate who fails to pass the examination shall be eligible for reexamination as provided in rule 657—2.7(147).

2.9(1) to 2.9(5) No change