

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 2

BY HEALTH AND WELFARE COMMITTEE

AN ACT

1 RELATING TO PHARMACISTS; AMENDING SECTION 54-1723, IDAHO CODE, TO REVISE
2 PROVISIONS REGARDING RECIPROCAL LICENSING AND TO MAKE A TECHNICAL COR-
3 RECTION.
4

5 Be It Enacted by the Legislature of the State of Idaho:

6 SECTION 1. That Section 54-1723, Idaho Code, be, and the same is hereby
7 amended to read as follows:

8 54-1723. QUALIFICATIONS FOR LICENSURE BY RECIPROCITY. (1) To obtain a
9 license as a pharmacist by reciprocity, an applicant for licensure shall:

10 (a) Have submitted a written application in the form prescribed by the
11 board of pharmacy.

12 (b) Have attained the age of majority.

13 (c) Have good moral character and temperate habits.

14 (d) Have possessed at the time of initial licensure as a pharmacist such
15 other qualifications necessary to have been eligible for licensure at
16 that time in this state.

17 (e) Have engaged in the practice of pharmacy for a period of at least one
18 (1) year or have met the internship requirements of this state within
19 the one (1) year immediately previous to the date of such application.

20 (f) Have presented to the board proof of initial licensure by exami-
21 nation and proof that such license and any other license or licenses
22 granted to the applicant by any other state or states ~~have is not been~~
23 at the time of application suspended, revoked, canceled or otherwise
24 restricted in a manner preventing the applicant from practicing as a
25 pharmacist for any reason except nonrenewal or the failure to obtain
26 required continuing education credits in any state where the applicant
27 is licensed but not engaged in the practice of pharmacy.

28 (g) Have paid the fees specified by the board of pharmacy for issuance
29 of a license.

30 (2) Eligibility. No applicant shall be eligible for licensure by reci-
31 procity unless the state in which the applicant was initially licensed as a
32 pharmacist also grants reciprocal licensure to pharmacists duly licensed by
33 examination in this state, under like circumstances and conditions.

34 (3) Temporary reciprocity license.

35 (a) In conjunction with an application for a license as a pharmacist by
36 reciprocity, the applicant may be granted a temporary license as a phar-
37 macist upon compliance with the following terms and conditions:

38 (i) The applicant has filed a complete application for licensure
39 by reciprocity and paid all fees for such application, which fees
40 shall not be refundable upon grant of a temporary license;

41 (ii) The applicant has passed the state jurisprudence examination
42 with a score of not less than seventy-five (75);

1 (iii) The applicant submits photocopies of all current licenses to
2 practice pharmacy in any other states or jurisdictions;

3 (iv) The applicant provides documentation of any and all actions
4 taken against any of the applicant's licenses to practice pharmacy
5 by any other state or jurisdiction, and any such action does not
6 otherwise render the applicant ineligible for licensure by reci-
7 procity in Idaho;

8 (v) The applicant submits evidence that the applicant has law-
9 fully practiced pharmacy in the United States or its territories
10 for the preceding twelve (12) months prior to filing of the appli-
11 cation;

12 (vi) The applicant submits evidence that the applicant has com-
13 pleted all continuing education requirements of the applicant's
14 active licenses for the three (3) calendar years preceding the ap-
15 plication; and

16 (vii) The applicant executes a sworn statement that all of the
17 documents, evidence and statements of the applicant submitted to
18 the board in conjunction with the application for licensure by
19 reciprocity and the request for temporary licensure are true and
20 correct, and that the applicant has fully disclosed all infor-
21 mation required for licensure by reciprocity and for temporary
22 licensure.

23 (b) Upon completion of the above requirements to the satisfaction
24 of the executive director, the applicant may be granted a temporary
25 license by reciprocity for a period of not more than sixteen (16) con-
26 secutive weeks as follows:

27 (i) The temporary license shall not be renewable nor may the ap-
28 plicant reapply for temporary licensure for a period of one (1)
29 year after lapse of a temporary license;

30 (ii) The temporary license shall lapse automatically upon the
31 grant or denial of a license by reciprocity upon subsections (1)
32 and (2) of this section;

33 (iii) The temporary license shall not include acting as a phar-
34 macist-in-charge or as a preceptor or supervising interns or ex-
35 terns;

36 (iv) The temporary license shall be subject to discipline in the
37 same manner as a full license, and shall also be subject to im-
38 mediate suspension by the executive director upon reasonable evi-
39 dence that the applicant has not fulfilled the requirements for
40 such temporary license or that the documents, evidence and state-
41 ment of the applicant submitted to the board are not true and cor-
42 rect, or that the applicant's disclosures required by this section
43 are not complete. Suspension of a temporary license by the exec-
44 utive director shall be immediate subject only to reinstatement
45 upon appeal by the applicant to the board at its next scheduled
46 meeting; and

47 (v) In the event the temporary license lapses without the con-
48 temporaneous grant of full licensure by reciprocity, or the tem-
49 porary license is suspended by the executive director, then all
50 privileges allowed under the temporary license, including those

1 relating to any controlled substance registration granted under
2 the temporary license, shall also cease.