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Director

Legislative Services Office

Idaho State Legislature

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MEMORANDUM

TO: Senators HEIDER, Souza, Jordan and,
Representatives WOOD, Packer, Chew

FROM: Elizabeth Bowen - Senior Legislative Research Analyst

DATE: April 05, 2018

SUBJECT: Temporary Rule

IDAPA 27.01.02 - Rules Governing Licensure and Registration (Fee Rule) - Adoption of Temporary Rule - Docket No. 27-0102-1801

We are forwarding this temporary rule to you for your information only. No analysis was done by LSO. This rule is posted on our web site. If you have any questions, please call Elizabeth Bowen at the Legislative Services Office at (208) 334-4834. Thank you.

Attachment: Temporary Rule

Mike Nugent, Manager
Research & Legislation

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IDAPA 27 – BOARD OF PHARMACY
27.01.02 – RULES GOVERNING LICENSURE AND REGISTRATION
DOCKET NO. 27-0102-1801 (FEE RULE)
NOTICE OF RULEMAKING – ADOPTION OF TEMPORARY RULE

EFFECTIVE DATE: The effective date of the temporary rule is July 1, 2018.

AUTHORITY: In compliance with Sections 67-5226, Idaho Code, notice is hereby given this agency has adopted a temporary rule. The action is authorized pursuant to Section 54-1717, Idaho Code.

DESCRIPTIVE SUMMARY: The following is the required finding and concise statement of its supporting reasons for adopting a temporary rule:

The House and Senate Health & Welfare committees unanimously approved Rule Docket 27-0102-1701, Rules Governing Licensing and Registration, on January 10, 2018. As noted in the proposed rule, published in the October 4, 2017, Idaho Administrative Bulletin, **Volume 17-10, on page 407**, and in the pending rule published in the December 6, 2017, Idaho Administrative Bulletin, **Volume 17-12, on page 68**, the Board intended to seek a fee change for nonresident pharmacist registrations if its agency legislation also passed. House Bill 351 was signed into law on March 7, 2018, with an immediate effective date. As such, this rule adjusts the nonresident pharmacist registration to \$290.

TEMPORARY RULE JUSTIFICATION: Pursuant to Sections 67-5226(1)(b), Idaho Code, the Governor has found that temporary adoption of the rule is appropriate for the following reasons:

The Board of Pharmacy has six rule dockets that were approved by the 2018 Idaho legislature with an effective date of July 1, 2018. This change is intended to coincide with the effective date of these existing rule dockets.

FEE SUMMARY: Pursuant to Section 67-5226(2), the Governor has found that the fee or charge being imposed or increased is justified and necessary to avoid immediate danger and the fee is described herein:

This rule adjusts the nonresident pharmacist registration from \$250 to \$290. Nonresident pharmacists who held both the registration and a separate controlled substance registration will still retain a net savings of \$20 per year.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning the temporary rule, contact Alex Adams, Executive Director, at (208) 334-2356.

DATED this 30th day of March 2018.

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THE FOLLOWING IS THE TEMPORARY FEE RULE FOR DOCKET NO. 27-0102-1801
(Only Those Sections With Amendments Are Shown.)

023. FEE SCHEDULE.

01. Licenses and Registrations -- Professionals.

License/Registration	Initial Fee	Annual Renewal Fee
Pharmacist License	\$140	\$130
Nonresident Pharmacist Registration	\$250 90	\$250 90
Pharmacist Intern	\$50	\$50
Technician	\$35	\$35
Practitioner Controlled Substance Registration	\$60	\$60

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02. Certificates of Registration and Licensure -- Facilities.

License/Registration	Initial Fee	Annual Renewal Fee
Drug Outlet (unless otherwise listed)	\$100	\$100
Wholesale License	\$180	\$180
Wholesale Registration	\$150	\$150
Central Drug Outlet (Nonresident)	\$500	\$250
Mail Service Pharmacy	\$500	\$250
Durable Medical Equipment Outlet	\$50	\$50
Outsourcing Facility (Nonresident)	\$500	\$250
Manufacturer	\$150	\$150
Veterinary Drug Outlet	\$35	\$35

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03. Late Fees and Reinstatements.

Category	Fee
Late payment processing fee	\$50
License or registration reinstatement fee	One-half (1/2) of the amount of the annual renewal

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04. Administrative Services.

Category	Fee
Experiential hours certification	\$25
Duplicate pharmacist certificate of licensure	\$35

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