

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

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HOUSE BILL 1349
Committee Substitute Favorable 8/4/05

Short Title: Raise Ceiling on Fees/Board of Pharmacy.

(Public)

Sponsors:

Referred to:

April 21, 2005

A BILL TO BE ENTITLED

1 AN ACT AUTHORIZING THE NORTH CAROLINA BOARD OF PHARMACY TO
2 RAISE ITS LICENSURE AND REGISTRATION FEES AND ESTABLISH
3 CERTAIN NEW FEES AND MAKING CERTAIN CHANGES TO THE
4 CONDITIONS OF LICENSE RENEWAL UNDER THE PHARMACY PRACTICE
5 ACT.
6

7 The General Assembly of North Carolina enacts:

8 **SECTION 1.1.** It is the goal of the General Assembly that the Board of
9 Pharmacy will use the funds generated by this act to enable it to conduct investigations
10 and inspections under this Article. The Board of Pharmacy shall annually expend at
11 least one hundred thousand dollars (\$100,000) of the funds generated by this act for a
12 Pharmacy Recovery Network.

13 **SECTION 1.2.** G.S. 90-85.12(a) reads as rewritten:

14 "(a) Upon receiving information concerning a violation of this ~~Article~~, Article that
15 is a threat to the public safety, health, or welfare, the Executive Director shall promptly
16 conduct an ~~investigation~~ investigation, and if he finds evidence of the violation, he may
17 file a complaint and prosecute the offender in a Board hearing. If the Executive Director
18 receives information concerning a violation of this Article that does not pose a threat to
19 the public safety, health, or welfare, the Executive Director may conduct an
20 investigation, and if he finds evidence of the violation, he may file a complaint and
21 prosecute the offender in a Board hearing."

22 **SECTION 2.** Effective October 1, 2005, G.S. 90-85.24 reads as rewritten:

23 "**§ 90-85.24. Fees collectible by Board.**

24 (a) The Board of Pharmacy shall be entitled to charge and collect not more than
25 the following fees:

26 (1) ~~for~~ For the examination of an applicant for license as a pharmacist, ~~one~~
27 ~~hundred sixty dollars (\$160.00)~~ two hundred dollars (\$200.00), plus the
28 cost of the test material;

- 1 (2) ~~for~~ For renewing the license as a pharmacist, ~~one hundred ten dollars~~
2 (~~\$110.00~~); one hundred thirty-five dollars (\$135.00);
3 (3) ~~for~~ For reinstatement of a license as a pharmacist, one hundred
4 thirty-five dollars (\$135.00);
5 (4) ~~for~~ For annual registration of a pharmacy technician, ~~twenty-five~~
6 dollars (~~\$25.00~~); thirty dollars (\$30.00);
7 (5) ~~for~~ For reinstatement of a registration of a pharmacy technician, thirty
8 dollars (\$30.00);
9 (6) ~~for~~ For licenses without examination as provided in G.S. 90-85.20,
10 original, ~~four hundred dollars (\$400.00); six hundred dollars (\$600.00);~~
11 (7) ~~for~~ For original registration of a pharmacy, ~~three hundred fifty dollars~~
12 (~~\$350.00~~); five hundred dollars (\$500.00), and renewal thereof, ~~one~~
13 hundred seventy five dollars (~~\$175.00~~); two hundred dollars (\$200.00);
14 (8) ~~for~~ For reinstatement of the registration of a pharmacy, two hundred
15 dollars (\$200.00);
16 (9) ~~for~~ For annual registration as a dispensing physician under
17 G.S. 90-85.21(b), ~~fifty dollars (\$50.00); seventy-five dollars (\$75.00);~~
18 (10) For reinstatement of registration as a dispensing physician,
19 seventy-five dollars (\$75.00);
20 (11) ~~for~~ For annual registration as a dispensing physician assistant under
21 G.S. 90-18.1, ~~fifty dollars (\$50.00); seventy-five dollars (\$75.00);~~
22 (12) For reinstatement of registration as a dispensing physician assistant,
23 seventy-five dollars (\$75.00);
24 (13) ~~for~~ For annual registration as a dispensing nurse practitioner under
25 G.S. 90-18.2, ~~fifty dollars (\$50.00); seventy-five dollars (\$75.00);~~
26 (14) For reinstatement of registration as a dispensing nurse practitioner,
27 seventy-five dollars (\$75.00);
28 (15) ~~for~~ For registration of any change in pharmacist personnel as required
29 under G.S. 90-85.21(a), ~~twenty five dollars (\$25.00); thirty-five dollars~~
30 (~~\$35.00~~);
31 (16) ~~for~~ For a duplicate of any license, permit, or registration issued by the
32 Board, twenty-five dollars (\$25.00);
33 (17) ~~for~~ For original registration to dispense devices, deliver medical
34 equipment, or both, ~~three hundred dollars (\$300.00) per year.~~ five
35 hundred dollars (\$500.00);
36 (18) For renewal of registration to dispense devices, deliver medical
37 equipment, or both, two hundred dollars (\$200.00);
38 (19) For reinstatement of a registration to dispense devices, deliver medical
39 equipment, or both, two hundred dollars (\$200.00).

40 (b) All fees under this section shall be paid before any applicant may be admitted
41 to examination or the applicant's name may be placed upon the register of pharmacists
42 or before any license or permit, or any renewal or reinstatement thereof, may be issued
43 by the Board."

1 **SECTION 3.** Effective October 1, 2005, G.S. 90-85.21A(c) reads as
2 rewritten:

3 "(c) The Board shall be entitled to charge and collect not more than ~~two hundred~~
4 ~~fifty dollars (\$250.00)~~five hundred dollars (\$500.00) for original registration of a
5 pharmacy under this section, and for renewal thereof, not more than ~~one hundred~~
6 ~~twenty five dollars (\$125.00)~~two hundred dollars (\$200.00), and for reinstatement
7 thereof, not more than two hundred dollars (\$200.00)."

8 **SECTION 4.** Effective January 1, 2008, G.S. 90-85.17 reads as rewritten:

9 "**§ 90-85.17. License renewal.**

10 In accordance with Board regulations, each license to practice pharmacy shall expire
11 on December 31 and shall be renewed annually by filing with the Board on or after
12 December 1 an application for license renewal furnished by the Board, accompanied by
13 the required fee. It shall be unlawful to practice pharmacy more than 60 days after the
14 expiration date without renewing the license. All licensees shall give the Board notice of
15 a change of mailing address or a change of place of employment within 30 days after
16 the change. The Board may require licensees to obtain up to ~~40~~30 hours of continuing
17 education every two years from Board-approved providers as a condition of license
18 ~~renewal~~renewal, with a minimum of 10 hours required per year."

19 **SECTION 5.** This act is effective when it becomes law.