

2023 -- H 5191

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

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A N A C T

RELATING TO BUSINESSES AND PROFESSIONS -- PHARMACIES

Introduced By: Representatives Casimiro, Noret, McEntee, Spears, Cotter, Kazarian,
Solomon, Alzate, Potter, and McGaw

Date Introduced: January 19, 2023

Referred To: House Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Sections 5-19.1-11, 5-19.1-15, 5-19.1-16 and 5-19.1-20 of the General Laws
2 in Chapter 5-19.1 entitled "Pharmacies" are hereby amended to read as follows:

3 **5-19.1-11. Nonresident pharmacy — Fees — Display — Declaration of ownership and**
4 **location.**

5 (a) Any pharmacy located outside this state that ships, mails, or delivers, in any manner,
6 legend drugs, controlled substances, or devices into this state is a nonresident pharmacy and shall
7 be licensed by the department. The nonresident pharmacy shall maintain at all times a valid
8 unexpired license, permit, or registration to operate the pharmacy in compliance with the laws of
9 the state in which it is located. Any pharmacy subject to this section shall comply with the board
10 of pharmacy regulations of this state when dispensing legend drugs or devices to residents of this
11 state.

12 (b) A pharmacy license will be issued to the owner who meets the requirements established
13 pursuant to this chapter or regulations. On and after December 1, 2024, for licenses issued or
14 renewed, the ~~The~~ owner of each pharmacy shall pay an original license fee to be determined by the
15 director, and annually thereafter, on or before a date to be determined by the director, of not less
16 than six hundred twenty-five dollars (\$625), for which he or she shall receive a license of location
17 that shall entitle the owner to operate the pharmacy at the specified location, or any other temporary
18 location as the director may approve, for the period ending on a date to be determined by the
19 director. Each owner shall, at the time of filing, provide proof of payment of the fee and each owner

1 shall file with the department, on a provided form, a declaration of ownership and location. The
2 declaration of ownership and location so filed shall be deemed presumptive evidence of ownership
3 of the pharmacy mentioned in the form. A license shall be issued to the owner and premise listed
4 on the form and shall not be transferred. A license issued pursuant to this section shall be the
5 property of the state and loaned to the licensee and it shall be kept posted in a conspicuous place
6 on the licensed premises. If a change in owner or premise listed in the form occurs, the license shall
7 become null and void.

8 (c) It shall be the duty of the owner to immediately notify the department of any proposed
9 change of location or ownership.

10 (d) In the event the license fee remains unpaid on the date due, no renewal or new license
11 shall be issued except upon payment of the license renewal fee.

12 **5-19.1-15. Pharmacy interns — License — Fees — Renewals.**

13 (a) Any person who is a graduate of an accredited program of pharmacy, or who is a student
14 enrolled in at least the third year of a professional program of an accredited program of pharmacy,
15 or any graduate of a foreign college of pharmacy who has obtained FPGEC certification may file
16 an application for licensure as a pharmacy intern with the department. He or she shall be required
17 to furnish any information that the board may, by regulation, prescribe and, simultaneously with
18 the filing of the application, shall pay to the department a fee to be determined by the department.
19 All licenses issued to pharmacy interns shall be valid for a period to be determined by the
20 department, [however, for all pharmacy intern licenses issued or renewed on or after December 1,](#)
21 [2024, shall be issued for a period not less than five \(5\) years,](#) but in no instance shall the license be
22 valid if the individual is no longer making timely progress toward graduation. No pharmacy student
23 may serve an internship with a preceptor without holding a valid pharmacy intern license from the
24 board of pharmacy.

25 (b) To ensure adequate practical instruction, pharmacy internship experience as required
26 under this chapter shall be obtained after licensure as a pharmacy intern by practice in any licensed
27 pharmacy or other program meeting the requirements promulgated by regulation of the board, and
28 shall include any instruction in the practice of pharmacy that the board by regulation shall prescribe.

29 (c) Licensed pharmacy interns shall practice only under the immediate supervision of a
30 licensed pharmacist.

31 **5-19.1-16. Pharmacy technicians — License — Fees — Renewals.**

32 A pharmacy technician license shall be issued to any individual who meets the
33 requirements established under this chapter or by regulations. The pharmacy technician shall file
34 an application for licensure with the department and shall be required to furnish any information

1 that the board may, by regulation, prescribe and, simultaneously with the filing of the application,
2 shall pay a fee to the department to be determined by the department. All licenses issued to
3 pharmacy technicians shall be valid for a period to be determined by the department; however, for
4 all pharmacy technician licenses issued or renewed on or after December 1, 2024, shall be issued
5 for a period not less than two (2) years. No individual may serve as a pharmacy technician without
6 holding a valid pharmacy technician license from the board of pharmacy.

7 **5-19.1-20. License — Renewal — Fee display.**

8 Every licensed pharmacist who desires to practice pharmacy shall secure from the
9 department a license pursuant to the provisions of §§ 5-19.1-8 and 5-19.1-14, the fee for which
10 shall be determined by the director. The renewal fee shall also be determined in regulation by the
11 director and, the renewal fee for any licensing period commencing on or after December 1, 2024,
12 shall not be more than two hundred fifty dollars (\$250) biennially. Each licensing period shall
13 coincide with the continuing education requirement period, with the licensing period starting on
14 January 1 and ending on December 31 of each calendar year. The date of renewal may be
15 established by the director by regulation, and the department may by regulation extend the duration
16 of a licensing period. The current license shall be conspicuously displayed to the public in the
17 pharmacy to which it applies.

18 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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RELATING TO BUSINESSES AND PROFESSIONS -- PHARMACIES

1 This act would provide that beginning on December 1, 2024, the renewal fee for a
2 pharmacist license shall not be more than two hundred fifty dollars (\$250) biennially, that a
3 nonresident pharmacy license fee shall not be less than six hundred twenty-five dollars (\$625) and
4 that license to pharmacy interns would be valid for a period not less than five (5) years and licenses
5 for pharmacy technicians valid for not less than two (2) years. This act would also align the
6 licensing renewal period for pharmacist with the continuing education requirements.

7 This act would take effect upon passage.

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