

2022 -- S 2768

LC004633

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2022

A N A C T

RELATING TO BUSINESSES AND PROFESSIONS -- PHARMACIES

Introduced By: Senators DiMario, Valverde, and Burke

Date Introduced: March 24, 2022

Referred To: Senate Health & Human Services

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. The owner of each pharmacy shall pay an original license
14 fee to be determined by the director, of not less than six hundred twenty-five dollars (\$625), and
15 annually thereafter, on or before a date to be determined by the director, for which he or she shall
16 receive a license of location that shall entitle the owner to operate the pharmacy at the specified
17 location, or any other temporary location as the director may approve, for the period ending on a
18 date to be determined by the director. Each owner shall, at the time of filing, provide proof of
19 payment of the fee and each owner shall file with the department, on a provided form, a declaration

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

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

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

11 **5-19.1-15. Pharmacy interns -- License -- Fees -- Renewals.**

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

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

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

29 **5-19.1-16. Pharmacy technicians -- License -- Fees -- Renewals.**

30 A pharmacy technician license shall be issued to any individual who meets the
31 requirements established under this chapter or by regulations. The pharmacy technician shall file
32 an application for licensure with the department and shall be required to furnish any information
33 that the board may, by regulation, prescribe and, simultaneously with the filing of the application,
34 shall pay a fee to the department to be determined by the department, [however, pharmacy technician](#)

1 [licenses shall be issued for a period of not less than two \(2\) years](#). All licenses issued to pharmacy
2 technicians shall be valid for a period to be determined by the department. No individual may serve
3 as a pharmacy technician without holding a valid pharmacy technician license from the board of
4 pharmacy.

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

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

15 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 the renewal fee for a pharmacist license would not be more
2 than two hundred fifty dollars (\$250), renewed biennially. This act would also provide that the
3 nonresident pharmacy fee to obtain a license of location to operate a pharmacy would not be less
4 than six hundred twenty-five dollars (\$625). This act would also provide that licenses issued to
5 pharmacy technicians would be valid for a period of not less than two (2) years. This act would
6 also provide that licenses issued to pharmacy interns would be valid for a period of not less than
7 five (5) years. This act would also align the licensing renewal period with the continuing education
8 requirement period.

9 This act would take effect upon passage.

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