



LAWS OF ALASKA

2003

Source
HB 270

Chapter No.

AN ACT

Relating to the licensure of pharmacists; and providing for an effective date.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

THE ACT FOLLOWS ON PAGE 1

AN ACT

1 Relating to the licensure of pharmacists; and providing for an effective date.

2 _____
3 * **Section 1.** AS 08.80.261(a) is amended to read:

4 (a) The board may **deny a license to an applicant or**, after a hearing, impose
5 a disciplinary sanction authorized under AS 08.01.075 on a person licensed under this
6 chapter when the board finds that the **applicant or** licensee, **as applicable,**

7 (1) secured **or attempted to secure** a license through deceit, fraud, or
8 intentional misrepresentation;

9 (2) engaged in deceit, fraud, or intentional misrepresentation in the
10 course of providing professional services or engaging in professional activities;

11 (3) advertised professional services in a false or misleading manner;

12 (4) has been convicted of a felony or has been convicted of another
13 crime that affects the **applicant's or** licensee's ability to [CONTINUE TO] practice
14 competently and safely;

15 (5) intentionally or negligently engaged in or permitted the

1 performance of patient care by persons under the **applicant's or** licensee's supervision
2 that does not conform to minimum professional standards regardless of whether actual
3 injury to the patient occurred;

4 (6) failed to comply with this chapter, with a regulation adopted under
5 this chapter, or with an order of the board;

6 (7) is incapable of engaging in the practice of pharmacy with
7 reasonable skill, competence, and safety for the public because of

8 (A) professional incompetence;

9 (B) failure to keep informed of or use current professional
10 theories or practices;

11 (C) addiction or severe dependency on alcohol or a drug that
12 impairs the **applicant's or** licensee's ability to practice safely;

13 (D) physical or mental disability; or

14 (E) other factors determined by the board;

15 (8) engaged in conduct involving moral turpitude or gross immorality;

16 (9) made a controlled substance available to a person except upon
17 prescription issued by a person licensed to prescribe controlled substances;

18 (10) was convicted of selling federal legend drugs without the
19 prescription of a person licensed to prescribe federal legend drugs;

20 (11) violated state or federal laws or regulations pertaining to drugs or
21 pharmacies;

22 (12) failed to report relevant information to the board about a
23 pharmacist or pharmacy intern that the **applicant or** licensee knew or suspected was
24 incapable of engaging in the practice of pharmacy with reasonable skill, competence,
25 and safety to the public;

26 (13) aided another person to engage in the practice of pharmacy or to
27 use the title of "pharmacist" or "pharmacy intern" without a license; or

28 (14) engaged in unprofessional conduct, as defined in regulations of
29 the board.

30 * **Sec. 2.** This Act takes effect immediately under AS 01.10.070(c).