

SB

2 4 4

(2 FILES)

PHARMACY BOARD

- (1) Synopsis
- (2) Position Paper - Alaska Pharmaceutical Assoc.
- (3) Position Paper - Alaska Health Coalition
- (4) Budget & Audit Committee Summary

SB 244 - Board of Pharmacy

Extends board - June 30, 1983

HCSSB 244

Section 1 extends board until June 30, 1983.

Section 2 changes composition of board (7 member board): reduces number of pharmacists from five to four and increases from two to three the public members on the board.

Section 3 provides for staggered terms.

Section 4 puts a limit on the term of service a board member may serve to no more than two consecutive terms.

Section 5 is "winding down" provision.

Section 6 provides for an incumbent member not to have his term shortened because of the reallocation of membership proposed in this bill.

Section 7 repeals appropriate section amended by this bill.

Section 8 is effective date clause.

HCSSB 244amH

Adds new Section 8 repealing AS 08.80.420(b) which states "A person may not advertise in any manner, prices, percentiles of prices or discounts for drugs requiring a prescription."

New Section 9 is effective date clause.

①

ALASKA PHARMACEUTICAL ASSOCIATION



Box 1185

Anchorage, Alaska 99517

Dear Senators & Representatives,

The pharmacists of the State of Alaska are unalterably opposed to the restructuring of the State Board of Pharmacy from its current status to a watered-down, weakened & ineffective board as proposed by State Representative Brown's Commerce Committee.

The current Board has displayed in the past its ability to perform adequately, efficiently & effectively for the protection of the public & the overseeing of the profession of pharmacy in the State of Alaska.

The State Board of Pharmacy is already operating on an unsatisfactory budget of \$4500 annually. The Department of Occupational Licensing, with a budget of nearly four times this amount, has failed in the past to complete its required tasks. From taxpayers' points of view, we feel that the State Board of Pharmacy, given the same amount could more efficiently & at less expense, license its own approximately 50 pharmacists, oversee the profession & protect the public.

Since the legislature has already approved retaining the State Board of Pharmacy under the "Sunset Review", why dilute the expertise of the members by limiting the term of office to 4 years?

Sincerely yours,

Chuck Decker R.Ph.

Secretary

Alaska Pharmaceutical Association

Pharmacy Bd.

POSITION OF ALASKA HEALTH COALITION RE: SUNSET FREE CONFERENCE

1. 4 year continuance for major boards: June 30, 1983
medical, dental, pharmacy, nursing, veterinary medicine, optometry
2. 2 year continuance for other boards: June 30, 1981
physical therapy, psychology, dispensing opticians, chiropractic
3. No more than 2 lay persons on each board.
4. Delete Sec. 8 of HCS Sb 240 (medical board regarding discrimination and denial of services.)
5. Delete Sec. 205 from HCS SB 246 or

Amend to read:

The board may waive the examination requirements for an applicant who meets the requirements of AS.36.110, pays the required fee, (and has an) holds an active licence from and has been in active practice for at least 30 hours per week for a period of 5 years in a state with licensing requirements at least equal to this state's in scope, quality, and difficulty and who has no judgements or disciplines assessed against such licence either by another state, professional review board, or state dental board and who has not failed the clinical examination of this state.

THE LEGISLATURE

FINANCE DIVISION
POUCH WF—STATE CAPITOL

BUDGET AND AUDIT COMMITTEE

JUNEAU, ALASKA 99811

November 10, 1978

SUMMARY OF: A Performance Review of the Board of Pharmacy

PURPOSE OF THE REVIEW

In accordance with the intent of Alaska Statutes 24.20.271(1) and 44.66.050 (sunset legislation), a review of the Board of Pharmacy was conducted to review Board activities and accomplishments to determine if the Board has been operating in an effective, efficient, and economical manner. The major areas reviewed were the Board's operations and its licensing, examination, administration, complaint, and affirmative action functions.

REPORT CONCLUSION

In our opinion, the Board of Pharmacy should continue to be the body that regulates and licenses its profession. The regulation and licensing of these professionals, pharmacies and drug rooms is necessary to protect the public's health, safety and welfare.

The practice of pharmacy is regulated by the Alaska Board of Pharmacy. Also, the Board is required to license shopkeepers dispensing non-prescription drugs. Because the practice of pharmacy affects the public's health, safety and welfare, we believe pharmacists should be subject to regulations and controls. The establishment of minimum educational and experience requirements provides the public with a reasonable assurance that persons licensed are qualified. In addition, an active investigation of complaints assures the public that those licensed continue to practice in a competent manner. In our opinion, these functions have been performed by the Board of Pharmacy.

However, we are making recommendations which, if implemented, will improve the effectiveness of the Board in serving the Alaskan public.

We recommend the Board fulfill all of its statutory responsibilities to adopt regulations, report to the Legislature and to issue shopkeeper permits while seeking changes in the Alaska Statutes.

We recommend that qualified pharmacist applicants who are licensed in another state, but who have not had 540 hours of postgraduate internship, be licensed. In addition, we recommend licensed pharmacists be required to demonstrate continued competency through continuing education or re-examination.

We recommend that the Board comply with statutory requirements for grading examinations and establish internal controls to assure that the administration of examinations is not open to accusations of bias.

We recommend legislation be considered to establish an annual inspection of pharmacies by the Board. Presently, some inspections are being performed by the Board. We recommend this program be formalized to provide additional public protection.

We recommend a limitation on the consecutive number of terms a Board member can serve. Although we found many examples of commendable public service on the part of Board members, several pharmacists have complained that the Board members do not represent all pharmacists.

In addition, we recommend the Board promulgate regulations which will define and list examples of acts by pharmacists which should be considered licensing violations.

HCS Senator members signing the report: Senator Sturgulewski,
 SB Chairman and Senators Bennett and Fahrenkamp. House
 244 members: Representative Malone, Chairman and Representa-
 am tives Osterback and Bettisworth.
 H

Senator Colletta moved that the Senate adopt the Free Conference Committee report.

The question being: "Shall FREE CONFERENCE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 242 (relating to the continuation of regulatory boards and continuing the existence of the Board of Chiropractic Examiners) pass the Senate?" The roll was taken with the following result:

FCCS SB 242

Yeas:	16	Bennett, Bradley, Colletta, Fahrenkamp, Ferguson, Hackney, Kelly, Kerttula, Meland, Mulcahy, Rodey, Sackett, Stinson, Sturgulewski, Tillion, Ziegler
Nays:	0	
Excused:	1	Dankworth
Absent:	3	Hohman, Ray, Sumner

The 2nd Free Conference Committee which has had SENATE BILL NO. 244 (continuing the existence of the Board of Pharmacy) and HOUSE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 244 amended House (continuing the existence of the Board of Pharmacy and amending the laws regulating the practice of pharmacy) recommends that FREE CONFERENCE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 244 (relating to the continuation of regulatory boards and continuing the existence of the Board of Pharmacy; eff. date) be adopted.

HCS
SB
244
am
H

Senate members giving the report: Senator Sturgulewski, Chairman and Senators Bennett and Fahrenkamp. House members: Representative Malone, Chairman and Representatives Osterback and Bettisworth.

Senator Colletta moved that the Senate adopt the Free Conference Committee report.

The question being: "Shall FREE CONFERENCE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 244 (relating to the continuation of regulatory boards and continuing the existence of the Board of Pharmacy) pass the Senate?" The roll was taken with the following result:

FCCS SB 24-

Yeas:	16	Bennett, Bradley, Colletta, Fahrenkamp, Ferguson, Mackney, Kelly, Kerttula, Meland, Mulcahy, Rodey, Sackett, Stimson, Sturgulewski, Tillion, Ziegler
Nays:	0	
Excused:	1	Dankworth
Absent:	1	Hohman, Ray, Sumner

and so FREE CONFERENCE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 244 passed the Senate.

FCCS
SB
244

Senator Collette moved and asked unanimous consent that the roll call on the passage of the above bill be considered the roll call on the effective date clause. Without objection, it was so ordered.

The Secretary was requested to notify the House.