

ALASKA LEGISLATURE COMMITTEE FILES, 1989-1990 8672
5669 HOUSE HEALTH, EDUCATION & SOCIAL SERVICES

STATE OF ALASKA
THE LEGISLATURE

POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99811
907-465-3800

LEGISLATIVE AFFAIRS AGENCY
LEGISLATIVE REFERENCE LIBRARY

Copies of minutes listed below were originally included in this file. The minutes are available on the STAIRS database CMPR. In order to save space copies of minutes have not been left in the files.

Mary Van Nimwegen

J. HESS 2-22-90

J. HESS 3-5-90

CORRECTION

**THIS DOCUMENT
HAS BEEN REPHOTOGRAPHED
TO ASSURE LEGIBILITY**

Original sponsor(s): REP. LEMAN, Furnace, Hanley, Sharp, Hudson

1 IN THE HOUSE

2 CS FOR HOUSE BILL NO. 370 ()
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 SIXTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to conditions of scholarship loans;
7 and providing for an effective date."

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

9 * Section 1. AS 14.43.120 is amended by adding new subsections to read:

10 (s) A portion of a loan shall be considered a grant if the loan
11 was made after July 1, 1971, and before July 1, 1987, and if, after
12 completion of the course of study for which the loan was received, the
13 borrower is a resident of the state for at least two years. The
14 portion of the loan that shall be considered a grant is based on the
15 following percentages of the principal amount of the loan plus inter-
16 est up to a total of 50 percent of the total indebtedness:

17 (1) two - three years residence in the state, 10 percent;

18 (2) three - four years residence in the state, an addition-
19 al 10 percent;

20 (3) four - five years residence in the state, an additional
21 10 percent;

22 (4) five - six years residence in the state, an additional
23 10 percent;

24 (5) over six years residence in the state, an additional 10
25 percent.

26 (t) A person who became eligible or who received forgiveness for
27 a loan, on or after January 1, 1987, and before January 1, 1990, may
28 elect to defer the forgiveness or may rescind an application for
29 forgiveness that has been approved. A person may defer forgiveness of

1 a loan for up to five years.

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

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Mary Van Nimwegen

H. HESS 2-22-90

H. HESS 3-5-90

H B

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HOUSE COMMITTEE REPORT

(7)

Date Referred: January 8, 1990

FURTHER REFERRALS: FINANCE

Date of Committee Action: 4/19/90

The HEALTH, EDUCATION, & SOCIAL SERVICES Committee considered: HB 389

HOUSE BILL NO. 389

COMMISSION FOR THE HEARING IMPAIRED

"An Act establishing the Commission for the Deaf and Hearing Impaired."

RECOMMENDATIONS:

- be replaced with CS HB 389 (HESS) the same title
- have attached amendment(s) a new title
- do pass
- do not pass
- no recommendation
- individual recommendations
- additional referral to the _____ Committee

ADOPTS: _____ letter of intent

ATTACHES NEW FISCAL NOTE(S):
(Dept)

APPROVES PREVIOUS: (Date/Dept)

- fiscal impact Adm
- zero fiscal note _____
- zero with analysis _____

- fiscal note(s) _____
- zero fiscal note(s) _____
- zero fn/analysis _____

SIGNING DO PASS

SIGNING:
(Check approp. column)

Do Not
Pass No Rec Amend

[Signature]

<u>[Signature]</u>			X
<u>Cheri Davis</u>	X		
<u>[Signature]</u>		X	
<u>Mark Beyer</u>	X		

[Signature]
Chairman's Signature

Original sponsor(s): REP. BOUCHER, Hudson

1 IN THE HOUSE

BY THE HESS COMMITTEE

2 CS FOR HOUSE BILL NO. 389 (HESS)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act establishing a Task Force for the Deaf and
7 Hard of Hearing; and providing for an effective
8 date."

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

10 * Section 1. TASK FORCE FOR THE DEAF AND HARD OF HEARING. (a) The
11 Task Force for the Deaf and Hard of Hearing is created in the Department of
12 Administration.

13 (b) The task force consists of seven members appointed by the gover-
14 nor. Four members shall be deaf or hard of hearing persons, one member
15 shall be a parent of a deaf or hard of hearing person, one member shall be
16 an officer or employee of a private or municipal organization that provides
17 services to deaf or hard of hearing persons, and one member shall be an
18 employee of a state agency that provides services to deaf or hard of hear-
19 ing persons. The governor shall request and consider recommendations from
20 the Alaska Association of the Deaf before appointing members to the task
21 force.

22 (c) The Task Force, by majority vote of the membership, shall elect a
23 chair and other officers it considers necessary from among its membership.

24 (d) Members of the task force serve without compensation, but are
25 entitled to per diem and travel expenses authorized for boards and commis-
26 sions under AS 39.20 '80.

27 * Sec. 2. POWERS OF THE TASK FORCE. (a) The task force may

28 (1) ascertain the extent and availability of services to deaf
29 and hard of hearing persons within the state and recommend improvements to

1 the accessibility and quality of those services and the development of new
2 services when necessary;

3 (2) make recommendations that will advocate, provide, and coor-
4 dinate adoption of public policies, regulations, and programs to advance
5 the interests of deaf and hard of hearing persons;

6 (3) recommend methods to promote public awareness of deaf and
7 hard of hearing persons and their contributions to society;

8 (4) work with the Department of Education, the Board of Regents
9 of the University of Alaska, local school districts, and other public and
10 private entities to encourage ongoing interpreter education programs de-
11 signed to increase the number of qualified and competent interpreters for
12 deaf and hard of hearing persons in the state;

13 (5) obtain equipment, including TTY machines, and services,
14 including interpreter services, that are necessary for the task force to
15 exercise its powers under this Act.

16 (b) Contracts for equipment and services for the task force are
17 exempt from AS 36.30 (State Procurement Code).

18 * Sec. 3. REPORT. The task force shall report its findings and rec-
19 ommendations to the governor and the legislature on or before June 30,
20 1991.

21 * Sec. 4. DEFINITIONS. In secs 1 - 4 of this Act

22 (1) "deaf" means subject to a loss of the ability to hear and
23 understand speech so that primary mode of communication is through
24 American Sign Language, speech reading, gestures, or writing;

25 (2) "hard of hearing" means subject to a partial loss of hearing
26 in one or both ears that results in difficulty in hearing and understanding
27 speech in the ear;

28 (3) "task force" means the Task Force for the Deaf and Hard of
29 Hearing.

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* Sec. 5. This Act is repealed June 30, 1991.

* Sec. 6. This Act takes effect July 1, 1990.

FISCAL NOTE

REQUEST:

Revision Date: _____ Agency Affected: Administration
 Title: "An Act establishing a Task Force for the Deaf and Hard of Hearing: ..." BRU: Commissioner's Office
 Sponsor: Boucher Components: _____
 Requestor: HESS

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 91	FY 92	FY 93	FY 94	FY 95	FY 96
PERSONAL SERVICES						
TRAVEL	25.6	-0-	-0-	-0-	-0-	-0-
CONTRACTUAL	4.4	-0-	-0-	-0-	-0-	-0-
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	30.0	-0-	-0-	-0-	-0-	-0-

CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
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REVENUE	-0-	-0-	-0-	-0-	-0-	-0-
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FUNDING: (Thousands of Dollars)

GENERAL FUND	30.0	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER						
TOTAL	30.0	-0-	-0-	-0-	-0-	-0-

POSITIONS:

FULL-TIME	-0-	-0-	-0-	-0-	-0-	-0-
PART-TIME	-0-	-0-	-0-	-0-	-0-	-0-
TEMPORARY	-0-	-0-	-0-	-0-	-0-	-0-

ANALYSIS : (Attach a separate page if necessary) **

Travel costs cover 4 one-week meeting of full task force through the year and trips to other communities for purposes of gathering information.

Contractual costs are for conference calls, clerical preparation; printing and duplication of reports.

Prepared by: James L. Fox Phone: 465-2200
 Division: Commissioner's Office Date: 4/10/90

Approved by Commissioner: Frank S. Baxter Date: 4/10/90
 Agency: Department of Administration

Distribution (by preparer):
 Legislative Finance
 Legislative Sponsor
 Requestor
 Office of Management and Budget
 Impacted Agency(ies)

** Any FY90 fiscal impact will be absorbed by the Department of Administration.

STEVE COWPER
GOVERNOR



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

FEB 08 1

January 30, 1990

Mr. Albert Berke
President
Alaska Association for the Deaf
1345 Rudakof Circle, Suite 107
Anchorage, AK 99508

Dear Albert,

Thanks for your letter expressing your support for establishing a Commission for the Deaf and Hearing Impaired (HB 389).

In responding to your request for support of this bill, I considered information from the Department of Health and Social Services, the Department of Education's Division of Vocational Rehabilitation, and from the Governor's Council for the Handicapped and Gifted. The response from these and other organizations, plus staff recommendations, do not support the establishment of another commission. As you know, the Governor's Council for the Handicapped and Gifted has the responsibility for protection and advocacy, services, and powers and duties as outlined in this draft bill.

On November 9, 1989, I appointed Mr. Roger Claussen to the Governor's Council for the Handicapped and Gifted. Mr. Claussen represents the deaf community and was endorsed by your organization. I would encourage you to work with Mr. Claussen and the Council to ensure that your concerns are known.

I am sure that you will work closely with your legislators regarding passage of HB 389. Should the bill pass, I will certainly review your letter and comments again.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Cowper".

Steve Cowper
Governor

STEVE COWPER
GOVERNOR



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

March 19, 1990

Nina

The Honorable Johnny Ellis
Alaska State Representative
P.O. Box V
Juneau, AK 99811

Re: HB 389

Dear Representative Ellis:

My office has conducted extensive research on the need for a separate commission for the deaf and hearing impaired. I have considered information from the Department of Health and Social Services, the Department of Education's Division of Vocational Rehabilitation, and the Governor's Council for the Handicapped and Gifted. The response from these and other organizations, plus staff recommendations, do not support the establishment of another commission.

The Governor's Council for the Handicapped and Gifted has the responsibility for protection and advocacy, services, and powers and duties as outlined in HB 389. In addition to this Council, the State has other agencies and resources available to the deaf community such as the Louise Rude Center, Division of Vocational Rehabilitation, and Interpreter Referral Line, to name a few.

Governor Cowper recently appointed Roger Claussen to the Governor's Council for the Handicapped and Gifted. Mr. Claussen is deaf and was recommended by Al Berke and the Alaska Association for the Deaf. The deaf community is further represented on the Council by Blanche Walters, a parent of a deaf adult son.

Since Mr. Claussen's appointment in November of 1989, I have encouraged Al Berke, as President of the Alaska Association for the Deaf, to work with Mr. Claussen and the Council to ensure that the Association's concerns are known.

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Mary Van Nimwegen

H. HESS 3-23-90

H. HESS 4-17-90

CORRECTION

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STEVE COWPER
GOVERNOR



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

March 19, 1990

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Alaska State Representative
P.O. Box V
Juneau, AK 99811

Re: HB 389

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Representative Ellis

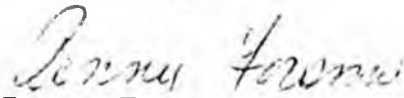
-2-

March 19, 1990

I spoke to experts in the field statewide as well as representatives of the deaf community. My research concluded that it is not the consensus of the deaf community that a new and separate commission is needed.

I thought you should be aware of and consider this information before this Thursday's hearing on HB 389. If you have any questions, please call me at 465-3500.

Sincerely,



Penny Forsmo
Special Staff Assistant
Boards and Commission

cc: Representative Bill Hudson

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THE LEGISLATURE

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H. HESS 3-23-90

H. HESS 4-17-90

HB

391

FISCAL NOTE

REQUEST:

Revision Date: _____ Agency Affected: Education
 Title: Delivery & Possession of Controlled BRU: _____
Substances: requiring installation of signs
 Sponsor: Boyer Components: _____
 Requestor: House Hess

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 91	FY 92	FY 93	FY 94	FY 95	FY 96
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL						
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REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

Prepared by: Mary Hakala Phone: 465-2800
 Division: Commissioner's Office Date: 1/24/90
 Approved by Commissioner: William G. Diemert Date: 1/24/90
 Agency: Education

Distribution (by preparer):
 Legislative Finance
 Legislative Sponsor
 Requestor
 Office of Management and Budget
 impacted Agency(ies)

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Mary Van Nimwegen

H. HESS

1-26-90

HB

395

HOUSE COMMITTEE REPORT

(7)

Date Referred: January 8, 1990

FURTHER REFERRALS: LABOR & COMMERCE

Date of Committee Action: 2/8/90

The HEALTH, EDUCATION, & SOCIAL SERVICES Committee considered: HB 395

HOUSE BILL NO. 395

APPLICANTS FOR PHARMACISTS' LICENSES

"An Act relating to applicants for pharmacy licenses."

RECOMMENDATIONS:

- be replaced with CSHA 395 (HFSS) the same title
 have attached amendment(s) a new title
- do pass
 do not pass
 no recommendation
 individual recommendations
 additional referral to the _____ Committee

ADOPTS: _____ letter of intent

ATTACHES NEW FISCAL NOTE(s):
(Dept)

APPROVES PREVIOUS:

(Date/Dept)

- fiscal impact _____ fiscal note(s) _____
 zero fiscal note _____ zero fiscal note(s) _____
 zero with analysis CFED zero fn/analysis _____

SIGNING DO PASS:

SIGNING:

(Check approp. column)

Do NOT
Pass
No Rec
Amend

[Signature]
[Signature]
[Signature]
Cheri Davis
[Signature]
Mark Boye
[Signature]

	Do NOT Pass	No Rec	Amend

[Signature]
Chairman's Signature

HB 395: "An Act relating to applicants for pharmacy licenses."

The Department of Commerce and Economic Development supports enactment of HB 395.

The proposed legislation will address a problem of longstanding for the Board of Pharmacy (hereinafter "board") within the Division of Occupational Licensing (hereinafter "division"). Presently, the board has no provision for licensure of pharmacy graduates educated in institutions not recognized by the American Council on Pharmaceutical Education (ACPE) and located outside the United States and its territories (hereinafter "foreign graduates").

Therefore, when foreign graduates apply for licensure, regardless of their qualifications, the board must deny licensure.

Nationally, the National Association of Boards of Pharmacy (NABP) Foundation has responded to this problem by developing course review procedures geared towards determining whether the bachelor of science degree in pharmacy attained by a foreign graduate is substantially equivalent to the degree and learning attained by a graduate of an ACPE accredited school in the United States.

The foreign graduate who possesses an NABP Foreign Pharmacy Graduate Equivalency Committee certificate is considered equivalently educated and is, therefore, eligible for licensure (assuming compliance with other admission criteria) in any state throughout the country.

There exists nationwide a significant shortage of pharmacists and an acute shortage in Alaska. This legislation will enable the state to admit qualified foreign graduates and, concomitantly, potentially improve our ability to meet our employment needs in this area.

The Pharmacy Board chair has discussed this proposed bill with the chair of the NABP Equivalency Committee. As a result of this conversation, one small but important change to the proposed amendments is hereby suggested:

On page 1, line 20, the following language is proposed:

... has received a bachelor of science degree in pharmacy or its equivalent from an institution"

The NABP Equivalency chair was concerned that not all foreign institutions issue a pharmacy degree as a "bachelor of science degree" and he felt that language allowing a pharmacy degree -- regardless of specific title -- should be provided for in this bill. We request your consideration of this amendment to the bill.

For the above-stated reasons, and with the hopeful adoption of the suggested amendment, the department urges passage of HB 395.



Larry Mercurieff, Commissioner

Date: 12/1/90

Chapter 689

1987 REPLACEMENT PART

Pharmacists; Drug Outlets; Drug Sales

GENERAL PROVISIONS

- 689.005 Definitions
- 689.015 "Practice of pharmacy" defined
- 689.025 Policy; purpose
- 689.035 Short title
- 689.045 Severability

STATE BOARD OF PHARMACY

- 689.115 Membership; qualifications; appointment; vacancy
- 689.125 Term of office; removal
- 689.135 General powers of board
- 689.145 Enforcement powers of board
- 689.155 Authority of board over medications, drugs, devices and other materials
- 689.165 Officers; executive director
- 689.175 Compensation of board members and director
- 689.185 Meetings
- 689.195 Employees
- 689.205 Rulemaking

PRACTICE OF PHARMACY

- 689.225 When license required; exceptions; possession of drugs; penalty
- 689.245 Licensing; standards; discipline
- 689.255 Qualifications for licensure by examination
- 689.265 Qualifications for licensure by reciprocity
- 689.275 Renewal of licenses
- 689.285 Continuing pharmacy education; advisory committee; fees

REGULATION OF DRUG OUTLETS

- 689.305 Registration of drug outlets
- 689.315 Application
- 689.325 Required information
- 689.335 Certificate required; reinstatement

DISCIPLINE

- 689.405 Grounds for discipline; procedure as contested case
- 689.445 Penalties and reinstatement
- 689.455 Report of suspected violations; liability for reporting; confidentiality of report

REQUIREMENTS RELATING TO SALES

(Generally)

- 689.505 Labeling requirements
- 689.515 Generic drugs; civil penalties
- 689.525 Out-of-state prescriptions

- 689.535 Regulation of specific substances

(DMSO)

- 689.545 Dimethyl sulfoxide regulation

(Temporary provisions relating to DMSO are compiled as notes following 689.545.)

(Others)

- 689.555 Agricultural drugs, nonprescription drugs and certain other substances

MISCELLANEOUS

- 689.605 Hospital pharmacies and drug rooms
- 689.615 Display of certificate or license

PROHIBITED PRACTICES

- 689.765 Prohibited practices

CIVIL PENALTIES AND PROCEDURES

- 689.832 Civil penalty for violation of ORS 689.535
- 689.837 Schedule of civil penalties
- 689.842 Factors to be considered in imposing civil penalty
- 689.847 Order assessing penalty; appeal; effect if penalty not paid
- 689.852 Judicial review
- 689.857 Disposition of penalties

CRIMINAL PENALTIES

- 689.995 Criminal penalties

CROSS REFERENCES

- Administrative procedures and rules of state agencies, 183.310 to 183.550
- Application of Ch. 690, 690.025
- Contraceptives, regulations governing sale, 435.010 to 435.130
- Deaths or injuries, report, Ch. 146
- Drugs, dangerous, criminal offenses, 167.202 to 167.252
- Drugs within racing inclosure, regulation, 462.450
- Experimental drugs, 475.305 to 475.375
- Hazardous substances, regulation, 453.005 to 453.185
- Health care facility license, disclosure of pharmacy interest, 441.025
- Legislative review of need for agency, 182.615
- Narcotics, criminal offenses, 167.202 to 167.252
- Pesticide control, Ch. 634
- Poisons, sale or delivery to minors prohibited, 453.085
- Prescriptions of physicians need not be in English, 192.310
- Purchase, possession and administering sodium pentobarbital to domestic pets and other animals, 475.190

689.235 [1969 c.514 §8; repealed by 1977 c.842 §45 and 1979 c.777 §59]

689.240 [Amended by 1963 c.96 §1; 1967 c.183 §2; 1969 c.514 §9; repealed by 1977 c.842 §45 and 1979 c.777 §59]

689.245 Licensing; standards; discipline. The State Board of Pharmacy shall be responsible for the control and regulation of the practice of pharmacy in this state including, but not limited to, the following:

(1) The licensing by examination or by reciprocity of applicants who are qualified to engage in the practice of pharmacy under the provisions of ORS 689.005 to 689.995;

(2) The renewal of licenses to engage in the practice of pharmacy;

(3) The determination and issuance of standards based on nationally recognized standards of practice and accreditation criteria for recognition and approval of schools and colleges of pharmacy whose graduates shall be eligible for licensure in this state, and the specification and enforcement of requirements for practical training, including internship;

(4) The enforcement of those provisions of ORS 689.005 to 689.995 relating to the conduct or competence of pharmacists practicing in this state, and the suspension, revocation or restriction of licenses to engage in the practice of pharmacy; and

(5) The regulation of the training, qualifications and employment of pharmacy interns. [1979 c.777 §18; 1985 c.565 §105]

689.250 [Amended by 1955 c.132 §1; 1963 c.96 §4; 1965 c.580 §6; 1967 c.183 §3; 1969 c.514 §10; 1973 c.612 §24; 1975 c.686 §9; repealed by 1979 c.777 §59]

689.255 Qualifications for licensure by examination. (1) To obtain a license to engage in the practice of pharmacy, an applicant for licensure by examination shall:

(a) Have submitted a written application in the form prescribed by the board of pharmacy.

(b) Have attained the age of 18 years.

(c) Be of good moral character and temperate habits.

(d) Have completed requirements for the first professional undergraduate degree as certified by a school or college of pharmacy which has been approved by the board.

(e) Have completed an internship or other program which has been approved by the board, or demonstrated to the board's satisfaction experience in the practice of pharmacy which meets or exceeds the minimum internship requirements of the board

(f) Have successfully passed an examination given by the board.

(g) Paid the fees specified by the board for examination and issuance of license.

(2)(a) The examination for licensure required under paragraph (f) of subsection (1) of this section shall be given by the board at least two times during each fiscal year of the state. The board shall determine the content and subject matter of each examination, the place, time and date of administration of the examination and those persons who shall have successfully passed the examination.

(b) The examination shall be prepared to measure the competence of the applicant to engage in the practice of pharmacy. The board may employ and cooperate with any organization or consultant in the preparation and grading of an appropriate examination, but shall retain the sole discretion and responsibility of determining which applicants have successfully passed such an examination.

(3)(a) All applicants for licensure by examination shall obtain professional and practical experience in the practice of pharmacy concurrent with or after college attendance, or both, under such terms and conditions as the board shall determine.

(b) The board shall establish standards for internship or any other program necessary to qualify an applicant for the licensure examination based on nationally recognized standards of practice and shall also determine the necessary qualifications of any preceptors used in any internship or other program.

(4) Any person who has received a first professional undergraduate degree from a school or college of pharmacy located outside the United States which has not been approved by the board, but who is otherwise qualified to apply for a license to practice pharmacy in the State of Oregon may be deemed to have satisfied the degree requirements of paragraph (d) of subsection (1) of this section by verification to the board of the academic record and graduation of the person and by meeting such other requirements as the board may establish. The board may require such person to successfully pass an examination or examinations given or approved by the board to establish proficiency in English and equivalency of education of such person with qualified graduates of a degree program referred to in paragraph (d) of subsection (1) of this section as a prerequisite of taking the licensure examination provided for in paragraph (f) of subsection (1) of this section. [1979 c.777 §22; 1987

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689.260 [Amended by 1969 c.514 §12; repealed by 1977 c.842 §45 and 1979 c.777 §59]

689.265 Qualifications for licensure by reciprocity. (1) To obtain a license as a pharmacist by reciprocity, an applicant for licensure shall:

(a) Have submitted a written application in the form prescribed by the board.

(b) Have attained the age of 18 years.

(c) Have good moral character and temperate habits.

(d) Have possessed at the time of initial licensure as a pharmacist such other qualifications necessary to have been eligible for licensure at that time in this state.

(e) Have engaged in the practice of pharmacy for a period of at least one year or have met the internship requirements of this state within the one-year period immediately previous to the date of such application.

(f) Have presented to the board proof of initial licensure by examination and proof that such license and any other license or licenses granted to the applicant by any other state or states have not been suspended, revoked, canceled or otherwise restricted for any reason except nonrenewal or the failure to obtain required continuing education credits in any state where the applicant is licensed but not engaged in the practice of pharmacy.

(g) Have successfully passed an examination in jurisprudence given by the board.

(h) Have paid the fees specified by the board for issuance of a license.

(2) No applicant shall be eligible for licensure by reciprocity unless the state in which the applicant was initially licensed as a pharmacist also grants reciprocal licensure to pharmacists duly licensed by examination in this state, under like circumstance and conditions. [1979 c.777 §23]

Amended by 1963 c.586 §5; 1969 c.514 §14; 1977 c.842 §45 and 1979 c.777 §59

689.275 Renewal of licenses. (1) Each pharmacist shall apply for renewal of license annually no later than June 30. The board shall renew the license of each pharmacist who is qualified to engage in the practice of pharmacy.

(2) The board shall specify by rule the procedures to be followed, in addition to those specified by ORS 689.285, and the fees to be paid for renewal of licenses.

(3)(a) All pharmacists in good standing who have been licensed pharmacists for at least 20

years and who are retired from practice of pharmacy are exempt from further payment of license fees until they again engage in the practice of pharmacy. No retired pharmacist shall engage in the practice of pharmacy without first paying all fees for the year in which the pharmacist resumes practice and producing evidence satisfactory to the board of continued professional competence.

(b) Failure to comply with the requirements of paragraph (a) of this subsection shall be considered the practice of pharmacy without a license. [1979 c.777 §24]

689.280 [1965 c.580 §2; 1967 c.183 §4; 1969 c.514 §13; 1973 c.743 §4; repealed by 1977 c.842 §45 and 1979 c.777 §59]

689.285 Continuing pharmacy education; advisory committee; fees. (1) The Legislative Assembly finds and declares that:

(a) The continuous introduction of new medical agents and the changing concepts of the delivery of health care services in the practice of pharmacy make it essential that a pharmacist undertake a continuing education program in order to maintain professional competency and improve professional skills;

(b) The state has a basic obligation to regulate and control the profession of pharmacy in order to protect the public health and welfare of its citizens; and

(c) It is the purpose of ORS 689.005 to 689.995 to protect the health and welfare of Oregon citizens and to assure uniform qualifications and continued competency of licensed pharmacists by requiring participation in a continuing pharmacy education program as a condition for renewal of licenses to practice pharmacy.

(2) All pharmacists licensed in the State of Oregon on and after October 3, 1979, shall satisfactorily complete courses of study and satisfactorily continue their education by other means as determined by the board in subjects relating to the practice of the profession of pharmacy in order to be eligible for renewal of licenses. However, a pharmacist may elect to meet the continuing pharmacy education requirements by satisfactorily passing an examination given by the board for such purpose. The examinations shall be given no later than eight months prior to the next date for renewal of the annual licenses and the results made known soon thereafter.

(3) A pharmacist who elects to take an examination as provided in subsection (2) of this section and fails to satisfactorily pass such examination shall be entitled to satisfy the continuing pharmacy education requirements by completing

Alaska State Legislature

Legislative Research Agency



P.O. Box Y
Juneau, AK 99811-3100
Phone: (907) 145-3991
Fax: (907) 143-3331

October 11, 1989

MEMORANDUM

TO: Representative Niilo Koponen

FROM: Paula d. Scavera *PS*
Legislative Analyst

RE: Licensing of Pharmacists Educated in Other Countries
Research Request 90.046 (REVISED)

You asked whether other states license pharmacists who obtain their pharmaceutical education in a foreign country. You also asked what procedures are used to license these pharmacists.

Each state establishes its own licensing requirements for pharmacists. All states, the District of Columbia and Puerto Rico require candidates for a pharmaceutical license to pass a state examination. The District of Columbia and 26 states allow foreign-educated pharmacists to sit for the state examinations on the basis certification by the Foreign Pharmacy Graduate Examination Committee discussed below. In addition to passing the state examination, foreign-educated candidates must fulfill further requirements in some states.

There are three ways for a foreign-educated pharmacist to obtain a license to practice in the United States. They are described below.

FPGEC Examination. Some states allow a foreign-educated pharmacist to sit for a state exam if the candidate has obtained a Foreign Pharmacy Graduate Examination Committee (FPGEC) certificate. To obtain this certificate, a candidate must have passed the Foreign Pharmacy Graduate Equivalency Examination (FPGEE) which is given only to four-year graduates with Bachelor's of Science degrees from recognized institutions outside the U.S. The candidate must also score 550 or higher on the Test of English as a Foreign Language. The candidate who has received the FPGEC certificate is allowed to take the state exam.

LICENSING OF FOREIGN-EDUCATED PHARMACISTS

STATE	ALLOW FOREIGN-EDUCATED PHARMACISTS	STATE	ALLOW FOREIGN-EDUCATED PHARMACISTS
ALABAMA	NO	OHIO	YES 1,2,4
ALASKA	NO	OKLAHOMA	NO
ARIZONA	YES 1,2	OREGON	YES 1
ARKANSAS	NO	PENNSYLVANIA	YES 1
CALIFORNIA	YES 3	PUERTO RICO	NO
COLORADO	NO	RHODE ISLAND	NO
CONNECTICUT	NO	SOUTH CAROLINA	YES 1,2
DELAWARE	YES 1,2	SOUTH DAKOTA	YES 1
DISTRICT OF COLUMBIA	YES 1	TENNESSEE	NO
FLORIDA	YES 1,2	TEXAS	NO
GEORGIA	YES 1	UTAH	NO
HAWAII	YES 1,2	VERMONT	YES 1
IDAHO	YES 1	VIRGINIA	NO
ILLINOIS	YES 1,2,5	WASHINGTON	YES 1
INDIANA	NO	WEST VIRGINIA	NO
IOWA	YES 1	WISCONSIN	NO
KANSAS	YES 1,2	WYOMING	NO
KENTUCKY	NO		
LOUISIANA	NO		
MAINE	NO		
MARYLAND	YES 1		
MASSACHUSETTS	NO		
MICHIGAN	YES 1,6		
MINNESOTA	YES 1,2		
MISSISSIPPI	NO		
MISSOURI	NO		
MONTANA	NO		
NEBRASKA	YES 1		
NEVADA	YES 1		
NEW HAMPSHIRE	NO		
NEW JERSEY	YES 1		
NEW MEXICO	NO		
NEW YORK	YES 3		
NORTH CAROLINA	YES 1		
NORTH DAKOTA	YES 1,2		

- 1 FPGEC CERTIFIED APPLICANTS WHO SUCCESSFULLY PASS STATE EXAM MAY BE LICENSED
- 2 PRACTICAL EXPERIENCE REQUIREMENTS MUST BE MET
- 3 FPGEC CERTIFIED APPLICANTS OR APPROVED CREDENTIALS APPLICANTS WHO SUCCESSFULLY PASS STATE EXAM
- 4 TEST OF SPOKEN ENGLISH REQUIRED
- 5 FIVE YEARS OF EDUCATION
- 6 (a) MUST PASS FPGE (b) TEST OF ENGLISH AND MEET INTERNSHIP REQUIREMENTS. A LIMITED LICENSE SHALL BE ISSUED TO APPLICANTS WHO MEET "a" and "b" IN ORDER TO GAIN INTERNSHIP HOURS

Source: National Council of State Legislatures (NCSL)

Prepared by the Legislative Research Agency, October 1989 (90.046REV)

CORRECTION

**THIS DOCUMENT
HAS BEEN REPHOTOGRAPHED
TO ASSURE LEGIBILITY**

Alaska State Legislature

Legislative Research Agency



P.O. Box Y
Juneau, AK 99811-3100
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October 11, 1989

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Representative Koponen
October 11, 1989
Page 2

Evaluation of Credentials. New York and California allow some candidates to take the state examination after their credentials have been evaluated and approved by the state licensing board.

"Fast-tracking" in a U.S. University. Some foreign graduates are allowed to enter accredited U.S. schools of pharmacy as advanced students. After graduating these students qualify to take state examinations.

Additional, miscellaneous requirements vary from state to state. Some states do not allow a foreign-trained candidate to receive a license without full U.S. citizenship. Others grant licenses to resident aliens or to candidates who have made a legal declaration of intention to apply for citizenship. One state (Ohio) requires candidates to pass an additional test in spoken English.

Attached is a table which identifies lists the states which allow foreign-educated pharmacists to take a state licensing exam on the basis of FPGEC certification (and ad hoc evaluation of credentials) and which do not. Puerto Rico and 24 states will only accept graduation from an accredited U.S. college of pharmacy. The table includes details about individual licensing requirements in states which allow foreign-educated pharmacists to obtain a license. Also attached is a packet of information from the National Association of Boards of Pharmacy Foundation. This packet explains the FPGEC certificate.

Attachments

LICENSING OF FOREIGN-EDUCATED PHARMACISTS

STATE	ALLOW FOREIGN-EDUCATED PHARMACISTS	STATE	ALLOW FOREIGN-EDUCATED PHARMACISTS
ALABAMA	NO	OHIO	YES 1,2,4
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ARKANSAS	NO	PENNSYLVANIA	YES 1
CALIFORNIA	YES 3	PUERTO RICO	NO
COLORADO	NO	RHODE ISLAND	NO
CONNECTICUT	NO	SOUTH CAROLINA	YES 1,2
DELAWARE	YES 1,2	SOUTH DAKOTA	YES 1
DISTRICT OF COLUMBIA	YES 1	TENNESSEE	NO
FLORIDA	YES 1,2	TEXAS	NO
GEORGIA	YES 1	UTAH	NO
HAWAII	YES 1,2	VERMONT	YES 1
IDAHO	YES 1	VIRGINIA	NO
ILLINOIS	YES 1,2,5	WASHINGTON	YES 1
INDIANA	NO	WEST VIRGINIA	NO
IOWA	YES 1	WISCONSIN	NO
KANSAS	YES 1,2	WYOMING	NO
KENTUCKY	NO		
LOUISIANA	NO		
MAINE	NO		
MARYLAND	YES 1		
MASSACHUSETTS	NO		
MICHIGAN	YES 1,6		
MINNESOTA	YES 1,2		
MISSISSIPPI	NO		
MISSOURI	NO		
MONTANA	NO		
NEBRASKA	YES 1		
NEVADA	YES 1		
NEW HAMPSHIRE	NO		
NEW JERSEY	YES 1		
NEW MEXICO	NO		
NEW YORK	YES 3		
NORTH CAROLINA	YES 1		
NORTH DAKOTA	YES 1,2		

- 1 FPGE C CERTIFIED APPLICANTS WHO SUCESSFULLY PASS STATE EXAM MAY BE LICENSED
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Source: National Council of State Legislatures (NCSL).

Prepared by the Legislative Research Agency, October 1989 (90.046REV).



foundation

National Association of Boards of Pharmacy Foundation/Bureau of Voluntary Compliance
and
Foreign Pharmacy Graduate Examination Committee

1300 Higgins Road, Suite 103, Park Ridge, Illinois 60068, (312) 698-6227

FOREIGN GRADUATE INFORMATION LETTER

To assist those foreign graduates who wish to become licensed pharmacists in the United States, we have outlined the following requirements for your information and guidance.

LICENSURE

To become a licensed pharmacist you must apply for and receive registration in each state in which you wish to practice. Each state has a board of pharmacy which administers one or more licensure examinations and enforces that state's pharmacy laws and regulations. To acquire initial registration, you must be examined by the board of pharmacy in some specific state.

We recommend that each foreign graduate who wishes to become licensed as a pharmacist in a particular state contact that state's board of pharmacy office for exceptions and/or additional requirements to the following guidelines which that state may require of a foreign graduate.

AGE

The minimum age requirement in all states for licensure or reciprocity is 21 years of age, with the following exceptions:

19 years of age: Alabama

18 years of age: California, Connecticut, District of Columbia, Florida, Georgia, Hawaii, Indiana, Kentucky, Maryland, Massachusetts, Michigan, New Hampshire, North Carolina, North Dakota, Ohio, Oregon, Rhode Island, South Dakota, Tennessee, Texas, Vermont, Virginia, Washington, and West Virginia.

Majority: Idaho and New Mexico.

Legal: Iowa and Kansas.

Adult: Wyoming.

No age requirement: Alaska, Arizona, Mississippi, Montana, Nevada, Oklahoma, South Carolina, Utah and Wisconsin.

CITIZENSHIP

United States citizenship is a requirement for licensure as a registered pharmacist in the following states:

Full United States citizenship: Arkansas, Kentucky, Maine, and Pennsylvania.

Full United States citizenship or legal declaration of intention: Wyoming.

Full United States citizenship, or legal declaration of intention, or resident alien: New Jersey, New York, and Washington.

EDUCATIONAL REQUIREMENTS

In the United States, licensure as a pharmacist requires graduation from a school or college of pharmacy approved by the individual state board of pharmacy or accredited by the American Council on Pharmaceutical Education (ACPE) as published in their official listing. Presently, no colleges of pharmacy located outside of the United States (except for Puerto Rico) are accredited by the ACPE because none have requested review for accreditation purposes. As a result, persons who have graduated from institutions outside the United States are not eligible for licensure examination in most states, the District of Columbia or Puerto Rico.

(over)

EDUCATIONAL REQUIREMENTS (cont)

Foreign graduates may become eligible for licensure examination by graduation from an accredited college of pharmacy, obtaining FPGEC certification, or evaluation of credentials as described below.

Graduation From Accredited College

Foreign graduates may apply to the Dean of the college for admission or admission with advance standing based on credentials and transcripts received from completed degree programs as the initial step in becoming a graduate of an accredited U.S. college of pharmacy.

Foreign Pharmacy Graduate Equivalency Committee Certification

Foreign graduates may obtain the Foreign Pharmacy Graduate Examination Committee (FPGEC) certificate. The FPGEC certificate requires passing the Foreign Pharmacy Graduate Equivalency Examination (FPGEE) and receiving a score of at least 550 on the Test of English as a Foreign Language (TOEFL). Any foreign graduate who has completed a program from a recognized institution outside the United States and successfully attained a bachelor of science degree in pharmacy (at least 4 year curriculum) can apply for the FPGEE, which is produced by the FPGEC of the National Association of Boards of Pharmacy Foundation. The FPGEE is intended to provide certification of educational equivalency as partial fulfillment of licensure requirements. Those who obtain FPGEC certification may sit for the licensure examination in the 24 states that accept FPGEC certification. A free brochure describing the program is available from: *NABP Foundation, Foreign Pharmacy Graduate Examination Committee, 1300 Higgins Road, Suite 103, Park Ridge, IL 60068, (312) 698-6227.*

Evaluation of Credentials

Two states which accept FPGEC certification also have procedures whereby foreign trained pharmacists may be considered for licensure. Following an evaluation of the foreign graduate pharmacist's credentials by California or New York, approval may be made to take the licensure examination in the state which evaluates the submitted credentials. For information concerning licensure in these two states, you should contact the state board secretary.

Foreign graduates who may wish to move to another state in the future are urged to determine which option will afford them maximum flexibility in becoming eligible for licensure in other states before selecting an option.

PROFICIENCY IN ENGLISH

The regulations of some boards of pharmacy require graduates of foreign colleges to demonstrate proficiency in the use of the English language.

SURVEY OF PHARMACY LAW

A comprehensive yet compact guide to state pharmacy laws and regulations is NABP's *Survey of Pharmacy Law*. The *Survey* contains valuable information on state board organization laws, licensure laws, and state drug laws, including over 20 tables and charts, fully footnoted, that detail the varied state rules on qualifications for licensure, reciprocal licensure, and internship registration. To order, please send your request with a check or money order for \$20.00 made payable to NABP to: *NABP Publications Desk, National Association of Boards of Pharmacy, 1300 Higgins Road, Suite 103, Park Ridge, Illinois 60068.*

Sincerely,



Gary L. Anderson, Ph.D.
FPGEC Administrator

Revised January, 1989



foundation

National Association of Boards of Pharmacy Foundation/Bureau of Voluntary Compliance
and
Foreign Pharmacy Graduate Examination Committee

1300 Higgins Road, Suite 103, Park Ridge, Illinois 60068, (312) 698-6227

NOTICE

The following states have indicated by survey that they may consider certification by the Foreign Pharmacy Graduate Equivalency Committee (FPGEC) as a qualification to sit for the pharmacy licensure examination (NABPLEX[®] in all states except California). The determination of whether a state will accept the FPGEC certification and what qualifications are necessary for licensure in a state is the prerogative of that state. Such determinations are not made by the Foreign Pharmacy Graduate Examination Committee.

The states that have indicated that they may consider FPGEC certification are:

Arizona	Nevada
California	New Jersey
Delaware	New York
Florida	North Dakota
Georgia	Ohio
Idaho	Oregon
* Illinois	Pennsylvania
Iowa	South Carolina
Kansas	South Dakota
Maryland	Texas
Michigan	Vermont
Minnesota	Washington
Nebraska	

Hawaii has indicated that it is considering or may consider changes in its statute or rules and regulations to accept the FPGEC certificate.

- * Only foreign graduates who have completed 5 year professional pharmacy degree programs can apply for licensure. For more information, contact the Illinois Department of Registration and Education.

If you have any questions concerning licensure, please direct those questions to the state or states where you are applying for licensure. The committee staff cannot answer questions concerning procedures for licensure in the states listed above or any other state.

Revised 2/89

**Foreign
Pharmacy
Graduate
Equivalency
Examination**

**Foreign
Pharmacy
Graduate
Equivalency
Examination**

**1989
Information
Booklet**

National Association of Boards of
Pharmacy Foundation
Foreign Pharmacy Graduate Examination
Committee
1300 Higgins Road, Suite 103
Park Ridge, Illinois 60068
U.S.A.
312/698-6227

National Association of Boards
of Pharmacy Foundation
Foreign Pharmacy Graduate
Examination Committee
1300 Higgins Road, Suite 103
Park Ridge, Illinois 60068
U.S.A.
312/698-6227

IMPORTANT DATES

Application Deadline: August 1, 1989

Applications must be *postmarked* no later than August 1, 1989.

Test Date: December 10, 1989

TABLE OF CONTENTS

IMPORTANT DATES.....	Inside Front Cover
GOALS AND OBJECTIVES OF FPGECC....	1
DEFINITION OF A FOREIGN PHARMACY GRADUATE.....	2
GENERAL INFORMATION.....	3
Important Dates.....	3
FPGECC Certification.....	4
Purpose of FPGECC Certification.....	5
GENERAL REGISTRATION INFORMATION.....	6
Application/Qualifying Procedures.....	7
1. Applications for Examination (Form 100).....	7
2. Photographs.....	8
3. Notice of Receipt of Application (Form 102).....	8
4. Copy of the pharmacy degree or qualifications.....	9
5. Fee.....	10
Documentation of Pharmacy Credentials.....	11
1. Photocopies of documents.....	11
2. Applicant's Name.....	11
3. Non-English Documents.....	12
4. Alternate Procedures.....	12
PROCESSING OF APPLICATION.....	13
EE Number.....	13
Completion of Registration.....	13
EE Test Centers.....	14
Test Center Admission Ticket.....	14
Refund and Cancellation.....	14
RE-APPLICATION AND RE-EXAMINATION.....	16

**DESCRIPTION OF THE FOREIGN
PHARMACY GRADUATE EQUIVALENCY
EXAMINATION** 17
 Preparing for the Examination 18
 The Day of the FPGE 18

RESULT LETTERS 21
 Equivalency Examination Passing
 Score 21

**TEXTBOOKS COMMONLY USED IN U.S.
PHARMACY SCHOOLS** 22

GOALS AND OBJECTIVES OF FPGEC

The Foreign Pharmacy Graduate Examination Committee (FPGEC) is part of the National Association of Boards of Pharmacy Foundation (NABP Foundation). Established in recognition and fulfillment of responsibilities for public health care and education, the FPGEC includes among its goals and objectives the following:

1. To inform foreign pharmacy graduates about entering the U.S. pharmacy profession and health care system;
2. To provide the Foreign Pharmacy Graduate Equivalency Examination (FPGEE);
3. To inform foreign pharmacy graduates about the FPGEE;
4. To evaluate the qualifications of foreign pharmacy graduates who apply for the FPGEE; and,
5. To cooperate with other agencies concerned with foreign pharmacy graduates.

The FPGEC reserves the right to change at any time it deems necessary the requirements published in this booklet, without notice to prospective candidates for the FPGEC certificate. Any changes shall take effect when adopted by the FPGEC. The FPGEC further reserves the right to discontinue the examination program at any time without advance notice to any candidate or prospective candidate. If the examination program is cancelled, the FPGEC shall refund any examination fees to those candidates who have paid fees to the FPGEC and who have not had the opportunity to take the FPGEE.

All questions regarding requirements for FPGEC certification, and all requests for additional information, should be submitted in writing and directed to the Committee's address below. Except in emergencies, the Committee strongly discourages telephone inquiries.

NABP Foundation
Foreign Pharmacy Graduate
Examination Committee
1300 Higgins Road, Suite 103
Park Ridge, Illinois 60068
U.S.A.
312/698-6227

DEFINITION OF A FOREIGN PHARMACY GRADUATE

The FPGEC defines a "foreign pharmacy graduate" as a pharmacist whose undergraduate pharmacy degree was conferred outside the United States by a recognized school of pharmacy. The United States, as used here, includes the fifty states, the District of Columbia, and Puerto Rico. United States citizens who have completed their pharmacy education outside the United States, are therefore, considered to be "foreign pharmacy graduates," while foreign nationals who have graduated from schools in the United States are not.

GENERAL INFORMATION

No individual can practice pharmacy in any state or jurisdiction without first obtaining a license in that state. The foreign pharmacy graduate who seeks licensure in any state that accepts the FPGEC certificate must satisfy the requirements of that state jurisdiction.

The FPGEC offers the FPGEE to foreign pharmacy graduates seeking educational equivalency certification to partially fulfill eligibility requirements.

The FPGEE is a one-day examination that requires both a morning and an afternoon session. Six to eight weeks after the examination date, applicants are notified by mail of the results. A description of the test content and outline of procedures for taking the examination are provided in this booklet.

The FPGEE is administered by the American College Testing Program (ACT) for the FPGEC at established test centers located in the United States.

Each applicant must complete all the registration requirements before the acceptance deadline. Applicants will be notified of this deadline.

There is no provision for makeup testing.

Important Dates

The schedule for the current year of the FPGEE is listed on the inside front cover of this booklet and on the Application (Form 100).

It is anticipated that future administrations of the FPGEE will maintain the application deadline of August 1 and the examination date of the second Sunday in December. This schedule is, however, subject to change. Final schedules are available each January. Please write the FPGEC for a copy of the current schedule.

FPGEC Certification

The FPGEC will certify a foreign pharmacy graduate who has **BOTH**:

1. Passed the Foreign Pharmacy Graduate Equivalency Examination **AND**;
2. Obtained a total score of at least 550 on the Test of English as a Foreign Language (TOEFL). TOEFL must be completed by *all* foreign pharmacy graduates, either concurrent with application or after passing the FPGEE. The Committee will only accept current TOEFL scores as defined by Educational Testing Service (ETS), the testing agency that administers TOEFL.

When the applicant applies for TOEFL:

1. The applicant must request that ETS submit an authentic report of TOEFL scores directly to the Foreign Pharmacy Graduate Examination Committee. The FPGEC identification number 9103 should be used, and the TOEFL registration number and full name must be given as they appear on the TOEFL score report. Score reports submitted directly by the applicant to the FPGEC **CANNOT** be accepted.
2. For information and instructions regarding TOEFL, contact:

Educational Testing Service
Princeton, New Jersey 08541 U.S.A.
Telephone: 609/921-9000

Purpose of FPGEC Certification

Foreign graduates who have obtained a FPGEC certificate are eligible to take the National Association of Boards of Pharmacy Licensure Examination (NABPLEX) in those states that accept FPGEC certification. Candidates for FPGEC certification should contact the jurisdiction in which they are seeking licensure *prior to taking the equivalency examination* to confirm:

- (1) the jurisdiction's acceptance of FPGEC certification,
- (2) their eligibility for licensure,
- (3) the need to complete internship programs, and
- (4) the need to fulfill any citizenship and/or residency requirements.

GENERAL REGISTRATION INFORMATION

A foreign pharmacy graduate who wishes to take the FPGE must apply by completing the prescribed Application for Examination (Form 100). A postcard, letter, telegram, or telephone call will NOT be accepted as an application form.

Once an initial Application for Examination (Form 100) has been submitted, a second application is NOT needed in order to submit a change of address, additional photographs, or pharmacy credentials to the FPGE.

Complete applications must be submitted directly to:

NABP Foundation
Foreign Pharmacy Graduate
Examination Committee
1300 Higgins Road, Suite 103
Park Ridge, Illinois 60068

THE COMPLETED APPLICATION,
NECESSARY DOCUMENTS REQUESTED
BY THE FPGE, AND PAYMENT OF ALL
FEES MUST BE SENT TO THE FPGE NO
LATER THAN THE APPLICATION
DEADLINE (see inside front cover).

APPLICATIONS POSTMARKED AFTER
THE APPLICATION DEADLINE WILL NOT
BE PROCESSED FOR THAT YEAR'S
EXAMINATION.

It is best not to mail application materials just before the postmark deadline, because mail is sometimes postmarked a day or two after mailing. If there is a discrepancy between a metered postmark and an official U.S. Postal Service Postmark, the latter will be considered official. It is advisable to apply well in advance of the application deadline in order to ensure that documents will be received from their native countries in time to qualify applicants to take the exam.

The FPGE is not responsible for application materials lost in the mail.

The applicant is responsible for submitting all application requirements to the FPGE. Applications that are incomplete should be completed as early as possible. The FPGE will notify applicants of incomplete applications as soon as possible.

The address entered on the application form as the applicant's address will be used in all communications until the FPGE receives written notification that an applicant's address has changed. A telephone call advising the FPGE of an address change is not acceptable. It is important for applicants to immediately notify the FPGE in writing of any change of address.

Applicants residing with an individual whose name is different from theirs should include that individual's name in their addresses so that the mail sent from the FPGE will reach its destination without difficulty.

Application/Qualifying Procedures

Applicants must submit the following completed forms and information:

1. Applications for Examination (Form 100)

Parts A and B of the Application for Examination must be filled out completely. Do not submit incomplete applications. The return of an incomplete application to the applicant will delay processing.

Applicants must sign their full names, using the English alphabet, on the lines indicated. Please note that item number 8 on Part B must be signed in the presence of a consular official, or of a first-class magistrate, or of a pharmacy school dean, or of a pharmacy school registrar, or of a notary public. This individual must sign, date, and indicate an official title on the line noted.

The applicant's name, as it appears on the initial application for examination, must be used in all communications with the FPGEC. Any subsequent name changes must be accompanied by a copy of a marriage certificate or other legal document, such as a court order, indicating the applicant's prior and current name.

2. Photographs

Three identical, full-face photographs (passport size) taken within 30 days of filing the application must be submitted with the application. One photograph must be affixed to the space indicated on Part B of the application form. Do not staple or tape the photograph to the application. The notarial seal, stamp, or signature of the official who affirms item 8 on Part B must cover a portion of both the attached photograph and the application form. The other two photographs should be included in the application package.

3. Notice of Receipt of Application (Form 102)

Form 102 must be filled out by the applicant and accompany the application. If Form 102 was not included with the application materials you received, you should notify the FPGEC and one will be sent to you. Do NOT submit your application without Form 102.

4. Copy of the pharmacy degree or qualifications

Proof of pharmacy degree or qualifications must be submitted as follows:

- a. An official copy of pharmacy degree or qualification from a pharmacy school. The pharmacy school must have at least a four-year curriculum at the time of the applicant's graduation. The pharmacy degree or qualification must be the professional degree allowing licensure or registration to practice pharmacy. (See Documentation of Pharmacy Credentials, page 11).
- b. An official transcript of your college, university and pharmacy school courses and grades. You should make a written request to your college, university, or pharmacy school to send an official transcript directly to the FPGEC. If the official transcript is not in English, please see Documentation of Pharmacy Credentials, Non-English documents, page 12. If you have an official copy of your transcript and wish to send it, please be sure that it contains an embossed, stamped, or affixed official seal of the college or university. Each transcript must be certified by the school registrar. Transcripts must be kept for the FPGEC files and cannot be returned.
- c. An official copy of license to practice pharmacy or a certificate of full registration in the country or jurisdiction where the pharmacy degree was earned. The certification must state that all of the educational requirements to practice pharmacy were fulfilled and that an unrestricted license or certification of registration to practice pharmacy in the country was issued. Each license must be certified by the appropriate government official of the jurisdiction issuing the license. (See Documentation of Pharmacy Credentials, page 11).

In countries where licensing is not required, proof of registration with the appropriate pharmacy organization must be submitted. If registration is not required where the degree was obtained, the applicant will be requested to complete and submit an affidavit attesting to this fact. The FPGEC will provide information concerning the procedure.

5. Fee

Full payment of \$700.00 must accompany the application form. Do not submit your application without the fee.

A certified check, bank draft, or money order in United States currency is required. The FPGEC will NOT accept a personal check. *All certified checks, bank drafts, and money orders must be made payable to the NABP Foundation.* Do NOT make these payable to the FPGEC! All payments from outside the United States must be made in United States funds from an approved bank or through a United States bank. Because of the risk involved, payments should NOT be made in cash (currency). The applicant's name (as it appears on the application form) should be fully and accurately shown on all checks, bank drafts, or money orders.

The total fee of \$700.00 consists of the following:

Evaluation of application and verification of credentials	\$200.00
Foreign Pharmacy Graduate Equivalency	
Examination Fee	\$500.00
Total Fee	\$700.00

NO PERSONAL CHECK OR CASH PAYMENT WILL BE ACCEPTED.

If you are re-applying for the examination or applying for re-examination, please see page 16.

Documentation of Pharmacy Credentials

1. Photocopies of documents

Except for transcripts, which must be original, all documents may be submitted as certified photocopies. Certified photocopies of documents must be certified by a notary public as a "true and exact copy of the original". If a document is more than one page long, each page must be so certified. The words "true and exact copy of the original" must be covered partially by the notary public seal or signature. You should present both the original, official document and a photocopy to the notary public for proper certification. Please note that the applicant CANNOT certify the documents by signing the above statement.

If you are unable to submit certified photocopies, please submit the original, official documents directly to the FPGEC. If you wish to have these returned, please enclose a self-addressed, U.S. postage-paid return envelope. Please be sure to affix sufficient postage to cover the type of delivery you are requesting. The FPGEC is not responsible for application material lost in the mail.

2. Applicant's Name

If the name on any document submitted does not match the name on the application, a notarized copy of marriage certificate or other legal document, such as court order, indicating the applicant's prior and current name must be submitted. If the marriage certificate or other legal document submitted is not in English, it must be accompanied by an official English translation from a service sponsored by the government, or by a consulate, embassy, or cultural affairs department, or by a state-certified translator.

3. Non-English Documents

Documents not in English must be accompanied by an English translation, prepared and certified correct by a government official, pharmacy school official, or state-certified translator. The translation must be signed and dated by the person who prepares it, and must appear on official stationery. Applicants may NOT prepare their own translations, even if they attest to the accuracy before one of the officials noted above.

4. Alternate Procedures

If you have graduated from a school of pharmacy that has at least a four-year curriculum and have completed all requirements for licensure but cannot provide documentation, write to the FPGEC about alternative procedures. All such requests will be handled on an individual basis.

PROCESSING OF APPLICATION

EE Number

Applicants who apply for the FPGEE are assigned an Equivalency Examination (EE) number upon receipt of the initial application. This number is a permanent identification number. It must be used in all communications with the FPGEC. It must be entered on any subsequent application forms.

Completion of Registration

Applications received will be processed as quickly as possible. Registration can be completed ONLY IF:

- the application form is complete;
- the required fees are received on time;
- necessary official pharmacy credentials are included with the application; and
- three photographs are included.

If an application is incomplete, it will be returned to the applicant with notification of the reason for its return. It is the applicant's responsibility to provide the additional information requested and to return the completed application prior to the acceptance deadline.

EE. Test Centers

The examination will be administered in one or more test centers in the United States. The test centers will be determined by the Committee. Applicants will be notified of their assigned test center by the FPGECC before the examination, depending upon completion of the registration process. Requests for a change in test center assignments will be considered on an individual basis. The FPGECC must receive these written requests no later than eight weeks before the examination date.

Test Center Admission Ticket

Approximately one month before the examination, an admission ticket will be mailed to applicants who have been approved to take the examination. The admission ticket admits the applicant to the examination and shows the time to report and the street address of the examination center. If applicants have not received a ticket at least ten days before the examination, they should contact the FPGECC by telephone immediately. No applicant will be admitted to the test center without an admission ticket. Applicants must bring their admission ticket and two additional forms of identification (one must be a photo identification, such as a driver's license) to the test center on the day of the examination.

Refund and Cancellation

Applicants who submit an application, including appropriate pharmacy credentials and payment, will be evaluated to take the FPGECC. Applicants who are found ineligible for the FPGECC, or who withdraw before eligibility is determined, will receive a refund of the examination fee (\$500.00). The \$200.00 evaluation fee is non-refundable.

Applicants who have not completed the evaluation process, who request a refund, and who later wish to reapply will have to submit the required fees in effect at the time of reapplication (see Re-application, page 16). If the FPGECC deems it necessary, they may also have to submit an additional administration fee.

Applicants who have been qualified will be allowed to cancel their registration or to defer it to a later date if the FPGECC receives the request before the application deadline. Written requests for cancellation or deferral received by the FPGECC on or after the application deadline will be considered by the FPGECC on an individual basis. Such requests must include documentation of extenuating or unusual circumstances. Those who cancel and later wish to reapply will have to submit the required examination fee in effect at the time of reapplication and an additional administration fee of \$100.00.

NO refunds will be made to applicants who have been qualified, but who fail to appear as scheduled to take the examination. If an applicant qualifies but does not take the exam, failure to notify the Committee in writing within six months of the exam date will result in the closing of the applicant's file. An applicant whose file has been closed must submit a new application and the current fees. (See Application, page 7)

RE-APPLICATION AND RE-EXAMINATION

An applicant who has previously applied for the FPGEE and has been assigned an EE number must enter that number on the application for examination, and on all other materials included with the application. To re-apply for the FPGEE, an applicant should submit the following four items:

1. Application for Examination (Form 100). Part A (Side 1) and Part B must be completed. The applicant should sign the full name, using the English alphabet, in the space indicated for applicant's signature on Parts A and B.
2. Appropriate Fee:

If for re-examination: Current examination fee (\$500.00). Where the Committee deems necessary, an additional administration fee may be charged.

If for cancellation: Current examination fee (\$500.00) and an administrative fee (\$100.00).

If for deferral: no additional fee is necessary.
3. Notice of Receipt of Application (Form 102).
4. Three identical full-face photographs (passport size) taken within 30 days of filing the application. One photograph must be affixed to the space indicated on the application form. Do not staple or tape the photograph to the application. The notarial seal, stamp, or signature of the official who affirms item 8 on Part B must cover a portion of both the attached photograph and the application form.

DESCRIPTION OF THE FOREIGN PHARMACY GRADUATE EQUIVALENCY EXAMINATION

The FPGEE is a written examination, given in English, that consists of 400 multiple-choice questions. It is a comprehensive measure of the applicant's knowledge of the five major pharmacy content areas as described below:

1. Preclinical Sciences: Courses in physical science, biological science, and mathematics that are considered to be prerequisite for professional instruction are included. Examples include anatomy, physiology, organic chemistry, biochemistry and microbiology.
2. Pharmaceutical Science: Courses in the pharmaceutical sciences, such as pharmacognosy, medicinal/pharmaceutical chemistry, pharmaceuticals, and pharmacy administration, are included.
3. Biomedical Sciences: Courses in the biomedical sciences, such as pathology, pathophysiology, physical diagnosis, parasitology, epidemiology, biostatistics, and clinical pharmacology, are included.
4. Social and Behavioral Sciences: Courses in social and behavioral sciences, such as medical sociology and health-care economics, are included.
5. Pharmaceutical Services Management: Courses in pharmacy practice, health-care delivery systems, and drug utilization review and control are included.

The examination is administered in one full day. Applicants will be given one hour for lunch between the morning and afternoon sessions. A schedule for the examination day will be mailed with the letter that notifies the applicant of the test center.

Questions for the examination are selected by a committee composed of pharmacy educators. The test items are chosen from questions maintained for the FPGEC by the American College Testing Program (ACT). Every question used in the FPGEE has been validated.

Preparing for the Examination

In preparing for the examination, applicants are encouraged to review the most recent editions of standard pharmacy textbooks. A suggested, but not complete, reading list is included in the back of this booklet.

On acceptance of your application, you will be sent a study guide for the examination. Questions are in the multiple-choice format. Applicants may find it useful to familiarize themselves with this examination technique.

The FPGEC neither publishes, distributes, nor recommends the use of examination books that may purport to include compilations of questions contained in the FPGEE. They are not endorsed by the FPGEC and may contain incorrect information.

NO PREVIOUS EXAMINATIONS WILL BE MADE PUBLIC OR RELEASED TO APPLICANTS.

The Day of the FPGEE

Read the following carefully.

1. **DO NOT GIVE OR RECEIVE UNAUTHORIZED INFORMATION OR AID DURING THE EXAMINATION.** Evidence of giving or receiving unauthorized information or aid during the examination constitutes sufficient cause for appropriate action. If the FPGEC determines that a score is irregular, it may invalidate the results, and will notify the examinee of the basis for its decision. All applicants for the FPGEE acknowledge that they are aware of these regulations for maintaining the integrity of individual scores by signing the statement included in the application for the FPGEE.
2. **BRING AT LEAST FOUR NO. 2 PENCILS, A PENCIL SHARPENER AND AN ERASER TO THE EXAMINATION.** "Liquid lead" pencils, ball point pens, or other writing instruments must NOT be used on any part of the examination.
3. **DO NOT BRING FRIENDS OR FAMILY TO THE TEST CENTER.** Friends and family are NOT allowed in the examination center. The confusion caused by large numbers of people will delay completion of the examination.
4. **REPORT TO THE EXAMINATION CENTER PROMPTLY WITH YOUR ADMISSION TICKET AT THE TIME SHOWN ON THE TICKET.** Applicants will NOT be permitted to enter the examination after the sessions have begun.
5. **DO NOT BRING BOOKS, PAPERS, CAMERAS, CALCULATORS, OR TAPE RECORDERS INTO THE EXAMINATION ROOM.** These are NOT allowed!
6. **DO NOT SMOKE IN THE EXAMINATION ROOM.** Smoking is NOT permitted in the examination room while the examination is in process.

RESULT LETTERS

All examination results are mailed six to eight weeks after the test date. Scores will be mailed directly to the applicant, based on the address sheet completed at the time of the examination. Scores CANNOT be obtained earlier and will NOT be reported by telephone.

Equivalency Examination Passing Score

The FPGEE score is a scaled equated score. This equated score is based on the applicant's performance as compared to the performance of a reference group of United States pharmacy students. Please note that the FPGEE score is NOT the number of questions answered correctly, nor is it a percentage score.

The passing score is 75 or higher. Candidates who pass the FPGEE with a scaled equated score of 75 or higher are eligible for FPGEC certification.

Once applicants have passed the FPGEE, they are not permitted to take it again for any reason.

Applicants who fail the FPGEE may re-apply to take the examination again. The procedures for re-applying to take the examination are provided in this booklet.

7. **ASK FOR PERMISSION TO LEAVE THE EXAMINATION ROOM.** After being admitted to the examination room and assigned a seat, applicants will NOT be permitted to leave without permission.
8. **LISTEN CLOSELY TO THE INSTRUCTIONS.** The proctor will read instructions, in English, before each section of the examination begins. You may ask questions about the procedures at that time. NO questions will be allowed after the examination begins. It is important that all applicants understand these instructions and follow them exactly.
9. **MARK YOUR ANSWER SHEET CAREFULLY.** Credit is given only for answers marked on the answer sheet. Only one choice should be marked for each question. Double marks or no marks are treated as wrong answers. Applicants may make notes or calculations in the test booklet only.
10. **READ EACH QUESTION CAREFULLY.** If you are unsure of the correct answer, first eliminate every wrong answer you can. Each wrong answer eliminated improves your choices for selecting the correct answer.
11. **ANSWER EVERY QUESTION.** There is no penalty for guessing.
12. **DO NOT SPEND TOO MUCH TIME ON ONE QUESTION.** Work quickly and carefully.
13. **DO NOT USE OR MAKE NOTES (EXCEPT IN THE EXAMINATION BOOKLET).** Applicants using or making notes (except in the test booklet) will be required to leave the examination room and will not be permitted to return.
14. **SIGN EACH OF YOUR ANSWER SHEETS.** An unsigned answer sheet will NOT be scored.

**TEXTBOOKS COMMONLY USED IN
U.S. PHARMACY SCHOOLS**

The following is a suggested, but not complete, reading list of textbooks commonly used in U.S. Pharmacy Schools. Many of these books have been published in more than one edition. Please consult a bookstore or library for more detailed information. These textbooks may cover one or more of the following areas: Preclinical Sciences, Pharmaceutical Sciences, Biomedical Sciences, Social & Behavioral Sciences, and Pharmaceutical Services Management.

TITLE/AUTHOR/PUBLISHER

Applied Therapeutics for Clinical Pharmacists/Koda-Kimble, et al/Applied Therapeutics, Inc.

Biochemistry/Lehninger/Worth Pubs.

Biochemistry/Lubert & Stryer/W.H. Freeman & Co.

Calculations in Pharmacy/Rouse & Webber/Lippincott

Chemical Stability of Pharmaceuticals: A Handbook for Pharmacists/Connors & Amidan/Wiley

Clinical Pharmacy and Therapeutics/Herfindal & Hirschmann/Williams & Wilkins

Facts and Comparisons/Covington, et al/Facts and Comparisons

Handbook of Basic Pharmacokinetics/Ritschel/Drug Intelligence Pubs.

Handbook of Nonprescription Drugs/American Pharmaceutical Assn./APhA

Health Care Systems in the U.S./Raffel/Williams & Wilkins

Inorganic, Medicinal and Pharmaceutical Chemistry/Block, et al/Lea & Febiger

Introduction to General Pharmacology/Csaely/Appleton-Century Crofts

Introduction to Pharmacokinetics/Clark & Smith/Mosby

Jenkin's Quantitative Pharmaceutical Chemistry/Knevel & Diangani/McGraw-Hill

Kremers' History of Pharmacy/Sonnedecker/Harper & Row

Manual of Acute Bacterial Infections/Gerdner & Provine/Little, Brown & Co.

Manual of Medical Therapeutics/Washington University Dept. of Medicine/Little, Brown & Co.

Medical Terminology/Smith & Davis/Wiley

Modern Pharmaceutics/Banker & Rhodes/M. Dekker

Pharmaceutical Calculations/Zatz/Wiley-Interscience

Pharmaceutics of Solids & Solid Dosage Forms/Carstensen/Wiley & Sons, Inc.

Pharmacognosy/Tyler, Brady & Robbers/Lea & Febiger

Pharmacology: Drug Actions & Reactions/Levine/Little, Brown & Co.

Pharmacy Calculations/Ansel/Lea & Febiger

Pharmacy: Career Planning & Professional Opportunities/Rucker/HA Press, U. of MI-Ann Arbor

Pharmacy, Drugs, and Health Care/Smith & Knapp/Williams & Wilkins

Pharmacy Law Digest/Fink, et al/Facts and Comparisons

Pharmacy Practice/Wertheimer & Smith/Wiley & Sons, Inc.

Pharmacy Practice: Social & Behavioral Aspects/Wertheimer & Smith/Univ. Park Press

Physical Chemistry: Principles & Applications in Biological Sciences/Ignacio, et al/Prentice Hall

Physical Pharmacy/Martin, Swarbrick & Cammarata/Lea & Febiger

Principles of Clinical Toxicology/Gossel & Bricker/Raven

Principles of Medicinal Chemistry/Foye/Lea & Febiger

Principles of Organic, Medicinal & Pharmaceutical Chemistry/Wilson, et al/Lippincott

Principles of Pharmacy Management/Smith/Lea & Febiger

Remington's Pharmaceutical Sciences/Remington/Mack

Review of Medical Physiology/Ganong/Lange

Textbook of Biopharmaceutics & Clinical Pharmacokinetics/Niazi/Appleton-Century Crofts

Textbook of Organic, Medicinal & Pharmaceutical Chemistry/Wilson, et al/Lippincott

The Pharmacological Basis of Therapeutics/Goodman, Gilman et al/MacMillan

The Practice of Pharmacy: Institutional & Ambulatory Pharmaceutical Services/McLeod & Miller/Harvey Whitney Books

U.S. Health Care Systems: Origins and Functions/Raffel/Wiley & Sons, Inc.

USP/DI Advice for the Patient/Heller, et al/U.S. Pharmacopeial Convention, Inc.

USP/DI Drug Information for the Health Care Provider/Heller, et al/U.S. Pharmacopeial Convention, Inc.

FISCAL NOTE

REQUEST:

Revision Date: _____
Title: An Act relating to applicants
for pharmacy licenses.
Sponsor: Rep. Koponen
Requestor: House HESS

Agency Affected: Commerce & Economic Dev.
BRU: Occupational Licensing
Components: All

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 91	FY 92	FY 93	FY 94	FY 95	FY 96
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
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REVENUE	0	0	0	0	0	0
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FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	0	0	0	0	0	0

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

ANALYSIS : (Attach a separate page if necessary)

The bill amends pharmacy education requirements for licensure. New funds are not required to implement this bill.

Prepared by: Jennifer Strickler, Administrative Officer Phone: 465-2144
Division: Occupational Licensing Date: 1-16-90

Approved by Commissioner: Larry Mercurieff Date: 1/17/90
Agency: Commerce and Economic Development

Distribution (by preparer):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)



STATE OF WASHINGTON

WASHINGTON STATE BOARD OF PHARMACY

319 E. 7th Avenue, FF-21 • Olympia, Washington 98504 • (206) 753-6834

TO FOREIGN PHARMACY GRADUATES:

We have received your request for information regarding licensure in Washington using the Foreign Pharmacy Graduate Equivalency Examination.

In addition to receiving the certification from the Foreign Pharmacy Graduate Examination Commission, you must comply with WAC 360-12-010 and WAC 360-12-065, Sections 2 and 3. Copies of these regulations are enclosed. You must take and pass the Full Board Examination given bi-annually in January and June, meet all internship requirements (1200 intern hours to be earned before taking the examination and 300 intern hours to be earned after taking the examination) and show proof of your Alien Registration Card or Declaration of Intent.

Please feel free to contact this office if you have any questions.

sincerely,

WASHINGTON STATE BOARD OF PHARMACY

Donald H. Williams
Executive Secretary

DHW:slm

Enclosures: WAC 360-12-010
WAC 360-12-065 (2) & (3)

For Equivalency Examination information, write or phone:

Foreign Pharmacy Graduate Examination Commission
1300 Higgins Rd, Suite 103
Park Ridge IL 60068
Phone: (312) 698-6227

WAC 360-12-010 Applicants--Citizenship. All applicants for license to practice as registered pharmacists in Washington must be citizens or resident aliens of the United States. [Order 121, § 360-12-010, filed 8/8/74; Regulation 1, filed 3/23/60.]

WAC 360-12-065 FOREIGN-TRAINED APPLICANTS. (1) Applicants whose academic training in pharmacy has been obtained from institutions in foreign countries, wishing to be licensed as pharmacists in the state of Washington shall take and pass the foreign pharmacy graduate equivalency examination prepared by the foreign pharmacy graduate education commission and shall have received an educational equivalency certificate from that commission.

(2) In addition, prior to licensure they shall pass the Washington state board of pharmacy full board examination and meet its internship requirements.

(3) Applicants whose academic training in pharmacy has been obtained from institutions in foreign countries and whose credentials are such that no further education is necessary must earn a total of 1500 intern hours before licensure. The applicant must earn at least 1200 intern hours before taking the full board examination: PROVIDED, That the board may, for good cause shown, waive the required 1500 hours.

STATE OF ALASKA



BOARD OF PHARMACY

Alaska Statute Title 8, Chapter 1-3
Pharmacy Statute AS 08.80
Pharmacy Regulations 12 AAC 52
Controlled Substances Statute AS 17.30
Marijuana Therapeutic Research
Program Statute AS 17.35

PRINTED: August 1982

DEPARTMENT OF COMMERCE AND
ECONOMIC DEVELOPMENT
OCCUPATIONAL LICENSING
BOARD OF PHARMACY
POUCH D
JUNEAU, ALASKA 99811-0800

POSTMASTER: THIS PARCEL MAY BE
OPENED FOR POSTAL INSPECTION IF
NECESSARY. RETURN POSTAGE
GUARANTEED.

FIRST CLASS

- (5) promulgate regulations to carry out the purposes of this chapter;
- (6) repealed by ch 52 SLA 1980;
- (7) register intern pharmacists and promulgate rules relating to their minimum experience requirements;
- (8) promulgate regulations to ensure adequate security for all dangerous drugs;
- (9) adopt requirements for licensing in addition to the requirements set out in this chapter. (am ch 52 SLA 1980)

Sec. 08.80.040. Duties of the board. The board shall

- (1) examine qualified applicants for registration as pharmacists;
- (2) grant certificates of registration;
- (3) repealed by ch 52 SLA 1980;
- (4) report to the legislature on the condition of pharmacy in the state; the report shall include a resume of the proceedings of the board during the year and the names of all persons registered under this chapter;
- (5) maintain a record of the name and place of business of each person registered under this chapter, together with evidence adequate to justify registration;
- (6) issue a list of potentially dangerous medicinal ingredients or preparations that may be sold only under the direct supervision of a licensed pharmacist; the failure to include an ingredient or preparation in this list does not affect any law or regulation, which prohibits or restricts the sale of the ingredient or preparation;
- (7) repealed by ch 52 SLA 1980;
- (8) adopt regulations insuring that renewal of licenses occurs every four years and is contingent upon proof of continued competency;
- (9) hold hearings and order disciplinary sanctions against a person who violates this chapter or the regulations of the board;
- (10) provide for the regulation of controlled substances under AS 17.30. (am ch 52 SLA 1980; am ch 45 SLA 1982)

Sec. 08.80.045. Non-prescription drugs. (a) Except as provided in (b) of this section the board may not regulate the sale of patent or non-prescription drugs which are prepackaged for use by the consumer, are in their original, unbroken packaging, and are labeled in accordance with requirements of the federal government.

(b) The board may regulate the sale and distribution of patent or non-prescription drugs under AS 44.62.250 when the regulation is required by an emergency to protect the public health and safety. (ch 52 SLA 1980)

Sec. 08.80.050. Applicability of Administrative Procedure Act. The board shall comply with the Administrative Procedure Act (AS 44.62).

Sec. 08.80.060. Meetings of the board. The board shall meet at least once each year at the call of the president for the transaction of business properly before it. The president shall also call the board into session when requested in writing by at least two members. The secretary shall give at least 30 days written notice to all members before a meeting. (Sec 8 ch 194 SLA 1955)

Sec. 08.80.070. Quorum. Four members constitute a quorum for the transaction of business. However, when the board meets for the purpose of examining applications for registration, three members of the board constitute a quorum. (Sec 6 ch 194 SLA 1955; am Sec 27 ch 102 SLA 1976)

Sec. 08.80.080. Expenses of members. Members of the board are entitled to reimbursement for actual travel expenses incidental to the discharge of their duties and, while in the performance of their duties, are entitled to the per diem expenses allowed by law. (Sec 7 ch 194 SLA 1955)

Sec. 08.80.090. Disposition of fees. The fees collected by the secretary of the board shall be deposited in the general fund of the state. (Sec 21 ch 194 SLA 1955)

Sec. 08.80.105. Removal of board members. A member of the board may be removed from office by the governor for cause. The board may by regulation provide that unexcused absences from meetings constitute cause for removal. (ch 52 SLA 1980)

ARTICLE 2 LICENSING AND REGISTRATION

Section

- 110. Qualifications for registration
- 115. (Repealed)
- 118. License of pregraduate and postgraduate intern pharmacist
- 117. (Repealed)
- 120. Grading and content of examination
- 130. Re-examination
- 140. License by credentials
- 150. Temporary license
- 155. Emergency permit
- 157. Retail and wholesale licenses
- 160. Fees
- 220. Prescription department required for issuance of license
- 230. Sanitary conditions required for issuance of license
- 240. Form and display of registration certificate and license
- 250. (Repealed)
- 260. (Repealed)
- 261. Grounds for imposition of disciplinary sanctions
- 265. (Repealed)
- 266. Disciplinary sanctions

Sec. 08.80.110. Qualifications for registration. An applicant for registration as a pharmacist shall

- (1) be fluent in the reading, writing and speaking of the English language;
- (2) furnish the board with at least two affidavits from reputable citizens, whom he has known for at least one year, attesting to his good moral character and freedom from addiction to the use of drugs or alcoholic liquors;

(3) be a graduate of a college of pharmacy recognized by the National Association of Boards of Pharmacy;

(4) pass an examination by a board of pharmacy which has been approved by the National Association of Boards of Pharmacy;

(5) have completed at least 1,500 hours of internship training under the direct supervision of a licensed pharmacist in a licensed pharmacy, 160 hours of which must have been completed after graduation.

Sec. 08.80.115. Repealed by Sec 40 ch 177 SLA 1978, effective July 18, 1978, retroactive to June 28, 1976.

Sec. 08.80.116. License of pregraduate and postgraduate intern pharmacist. (a) An applicant for license as a postgraduate intern pharmacist shall meet the requirements of AS 08.80.110(1)(3) and pay the required fee.

(b) An applicant for license as a pregraduate pharmacist shall meet the requirements of AS 08.80.110(1) and (2) and shall be enrolled in a pharmacy school recognized by the National Association of Boards of Pharmacy as a junior. An applicant may be on recognized vacation from the pharmacy school; however, the vacation may not exceed one quarter or one semester. The pregraduate internship pharmacist shall pay the required fee.

(c) The license of a postgraduate or pregraduate internship pharmacist is valid for one year and may be renewed upon application.

Sec. 08.80.117. Repealed by ch 52 SLA 1980.

Sec. 08.80.120. Grading and content of examination. To pass the state pharmacy examination each applicant must attain a general average of not less than 75 per cent of a grade of not less than 60 per cent in any one category of the National Association of Board of Pharmacy Standard Examinations for licensure or an equivalent examination given by the board. (Sec 89 ch 194 SLA 1955; am Sec 2 ch 24 SLA 1968; am Sec 6 ch 206 SLA 1972; am Sec 1 ch 50 SLA 1974)

Sec. 08.80.130. Re-examination. An applicant unsuccessful in his initial examination may take a second examination within one year without further application and upon payment of the re-examination fee. If the applicant fails to take a second examination within one year, he must submit a new application for any examination. (Sec 8 ch 194 SLA 1955; am Sec 7 ch 206 SLA 1972)

Sec. 08.80.140. License by credentials. The board may license an applicant who has been certified as a registered pharmacist by the National Association of Boards of Pharmacy if the applicant meets the requirements under AS 08.80.110 and passes the state jurisprudence examination. (ch 52 SLA 1980)

Sec. 08.80.150. Temporary license. The board, or a member of the board, may issue a temporary license to an applicant applying for a license under AS 08.80.140 upon written or oral examination before a member of the board and certification by the member to the secretary of the board that the applicant is competent to receive a temporary license. The temporary license is valid for three months, or until the next regular meeting of the board, whichever is longer. A temporary license is not renewable, but at the discretion of the issuing board member may be extended for a period not to exceed 60 days, and an applicant may not receive more than one temporary license. An applicant whose license has been denied by the board is not eligible to receive a temporary license. (am ch 52 SLA 1980)

Sec. 08.80.155. Emergency permit. (a) The board, or a member of the board, may grant an emergency permit to a pharmacist for the purpose of providing coverage in a pharmacy which is temporarily without the services of a pharmacist due to death, illness or other emergency circumstances.

(b) a pharmacist applying under (a) of this section must submit proof that he holds a license in good standing in a state recognized by the National Association of Boards of Pharmacy, and pay the fee required under Sec 160 of this chapter.

(c) A permit issued under this section is valid for a period not to exceed 60 days. (am ch 52 SLA 1980)

Sec. 08.80.157. Retail and wholesale licenses. (a) If an applicant furnishes proof satisfactory to the board that he is equipped with land, facilities, and equipment, in fee or leased, necessary to carry on the business described in the application and the applicant complies with this chapter, applicable regulations adopted by the board, and pays fees provided for under AS 08.80.160, the board may issue

(1) a wholesale drug dealer license to an applicant who manufactures or distributes noncontrolled legend drugs to licensed retail pharmacists, dentists, physicians, surgeons, or veterinarians, who may legally purchase noncontrolled legend drugs at a wholesale level, or to government agencies which may legally purchase non-controlled legend drugs at a wholesale level;

(2) a wholesale drug dealer license to a qualified applicant who is in compliance with the Federal Controlled Substances Act of 1969 as amended; or

(3) a license to a retail pharmacy.

(b) A license under this section may not be issued to a person who has been convicted of a willful violation of a federal law or a law of any state relating to a drug or controlled substance, or who is addicted to a drug or controlled substance. A license may not be issued to a corporation with a managing officer who has been convicted of a willful violation of a federal law or a law of any state relating to a drug or controlled substance, or who is addicted to a drug or controlled substance. (ch 52 SLA 1980)

Sec. 08.80.160. Fees. The following fees shall be imposed under this chapter when applicable:

(1) examination fee	\$ 50
(2) re-examination fee	\$ 15
(3) investigation fee for licensing by credentials	\$ 25
(4) pharmacist license fee and renewal fee due every four years	\$200
(5) temporary license fee	\$ 20
(6) wholesale drug dealer license fee and renewal fee due every four years	\$200
(7) retail pharmacy license fee and renewal fee due every four years	\$200
(8) pharmacy intern license fee	\$ 10
(9) emergency permit license fee	\$ 10
(10) hospital pharmacy license fee and renewal fee due every four years (in and outpatients)	\$200
(11) hospital drug room license fee and renewal fee due every four years (inpatient)	\$100
(12) nursing home and related facilities license fee and renewal fee due every four years for inpatient dispensing	\$100
(13) repealed by ch 52 SLA 1980	
(14) license amendment or replacement fee	\$ 10

(am ch 52 SLA 1980)

Sec. 08.80.220. Prescription department required for issuance of license. The board shall issue a license to operate a pharmacy only to an establishment which operates a bona fide prescription department. (Sec 10 ch 194 SLA 1955)

FISCAL NOTE

REQUEST:

Revision Date: _____
Title: An Act relating to applicants
for pharmacy licenses.
Sponsor: Rep. Koponen
Requestor: House HESS

Agency Affected: Commerce & Economic Dev.
BRU: Occupational Licensing
Components: All

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 91	FY 92	FY 93	FY 94	FY 95	FY 96
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
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REVENUE	0	0	0	0	0	0
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FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	0	0	0	0	0	0

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

ANALYSIS : (Attach a separate page if necessary)

The bill amends pharmacy education requirements for licensure. New funds are not required to implement this bill.

Prepared by: Jennifer Strickler, Administrative Officer Phone: 465-2144
Division: Occupational Licensing Date: 1-16-90

Approved by Commissioner: Larry Mercurieff Date: 1/11/90
Agency: Commerce and Economic Development

Distribution (by preparer):

Legislative Finance
Legislative Sponsor
Requestor
Office of Management and Budget
Impacted Agency(ies)

STATE OF ALASKA
THE LEGISLATURE

POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99811
907 465 3800

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

January 17, 1990

SUBJECT: Sectional analysis of SSHB 395
(Work Order No. 6-1637)

TO: Representative Niilo Koponen

FROM: John B. Gaguine ^{JBG}
Legislative Counsel

You have asked for a sectional analysis of SSHB 395, an act relating to applicants for pharmacist licenses.

Section 1 amends AS 08.80.110 to allow graduates of foreign pharmacy schools to apply for licenses as pharmacists in Alaska. It authorizes applications by foreign graduates who have passed a test administered by a national organization to assure that these foreign graduates possess the knowledge that a graduate of an American school should possess. Applicants who have passed this test must also pass the test, administered by the Board of Pharmacy, that all license applicants must pass. The section also corrects an error in existing law relating to the national entity that certifies American pharmacy schools.

Section 2 makes the same correction regarding the certifying entity.

Section 3 repeals a definition that is unnecessary because the term defined is used only once and is defined where it is used.

JBG/pl
WKP1/013

BY REP. KOPONEN

1 IN THE HOUSE

2 SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 395
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 SIXTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to applicants for pharmacist li-
7 censes."

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

9 * Section 1. AS 08.80.110 is amended to read:

10 Sec. 08.80.110. QUALIFICATIONS FOR REGISTRATION. An applicant
11 for registration as a pharmacist shall

12 (1) be fluent in the reading, writing, and speaking of the
13 English language;

14 (2) furnish the board with at least two affidavits from
15 reputable citizens, that the applicant has known for at least one
16 year, attesting to the applicant's good moral character and freedom
17 from addiction to the use of drugs or alcoholic liquors;

18 (3) be a graduate of a college of pharmacy recognized by
19 the American Council on Pharmaceutical Education or, if the applicant
20 has received a bachelor of science degree in pharmacy or an equivalent
21 degree from an institution located outside of the United States and
22 its territories, possess the Foreign Pharmacy Graduate Equivalency
23 Committee certificate issued by the Foreign Pharmacy Graduate Equiva-
24 lency Committee of the National Association of Boards of Pharmacy
25 Foundation [AMERICAN ASSOCIATION OF COLLEGES OF PHARMACY];

26 (4) pass an examination by a board of pharmacy which has
27 been approved by the National Association of Boards of Pharmacy;

28 (5) have completed at least 1,500 hours of internship
29 training under the direct supervision of a licensed pharmacist in a

1 licensed pharmacy, 160 hours of which must have been completed after
2 graduation.

3 * Sec. 2. AS 08.80.116(b) is amended to read:

4 (b) An applicant for license as a pregraduate pharmacist must
5 meet the requirements of AS 08.80.110(1) and (2) and must be enrolled
6 in a pharmacy school recognized by the American Council on Pharma-
7 ceutical Education [AMERICAN ASSOCIATION OF COLLEGES OF PHARMACY] as a
8 junior. An applicant may be on recognized vacation from the pharmacy
9 school. However, the vacation may not exceed one quarter or one semes-
10 ter. The pregraduate internship pharmacist shall pay the required
11 fee.

12 * Sec. 3. AS 08.80.480(13) is repealed.
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H B

398

HOUSE COMMITTEE REPORT

3/13

(7)

Date Referred: January 8, 1990

FURTHER REFERRALS: FINANCE

Date of Committee Action: 3/12/90

The HEALTH, EDUCATION, & SOCIAL SERVICES Committee considered: HB 398

HOUSE BILL NO. 398

ADJUSTMENTS OF PRIOR YR FOUNDATION AID

"An Act providing authority for the Department of Education to adjust a school district's state foundation aid in a fiscal year to correct for previous underpayments or overpayments."

RECOMMENDATIONS:

- be replaced with CSHB 398 (HESS) the same title
- have attached amendment(s) a new title
- do pass
- do not pass
- no recommendation
- individual recommendations
- additional referral to the _____ Committee

ADOPTS: _____ letter of intent

ATTACHES NEW FISCAL NOTE(S):
(Dept)

APPROVES PREVIOUS: _____ (Date/Dept)

- fiscal impact _____
- zero fiscal note _____
- zero with analysis _____

- fiscal note(s) _____
- zero fiscal note(s) 1/8/90 DoE
- zero fn/analysis _____

SIGNING DO PASS:

SIGNING:

(Check approp. column)

Do Not Pass No Rec Amend

SIGNING DO PASS:	SIGNING:	Do Not Pass	No Rec	Amend
<u>Ellis</u> 40P 2WR ELLIS				
<u>Boyer</u> GOLL				
<u>Cheri Davis</u> C. DAVIS	<u>Mark Boyer</u> BOYER			X
<u>George Furnace</u> FURNACE	<u>George Furnace</u> TACKO			X

J. Ellis
Chairman's Signature

A M E N D M E N T

OFFERED IN THE HOUSE

BY REP. GOLL

TO: HB 398

Page 1, line 9:

Delete "or overpayments"

Insert "; relating to the number of allowable instructional units in determining state foundation aid for a school district; and providing for an effective date"

Page 1, after line 18:

Insert a new bill section to read:

"* Sec. 2. AS 14.17.031(b) is amended to read:

(b) If the instructional units that a school district is eligible to receive under (a) of this section decrease by 10 percent or more from one fiscal year to the next, the school district may use the last fiscal year before the reduction as a base fiscal year and offset its reduction according to the following schedule: (1) for the first fiscal year after the base fiscal year, the school district is eligible to receive the instructional units determined under (a)(1) of this section plus 75 percent of the difference in instructional units between the base fiscal year and the first fiscal year after the base fiscal year; (2) for the second fiscal year after the base fiscal year, the school district is eligible to receive the instructional units determined under (a)(1) of this section plus 50 percent of the

difference in instructional units between the base fiscal year and the second fiscal year after the base fiscal year; (3) for the third fiscal year after the base fiscal year, the school district is eligible to receive the instructional units determined under (a)(1) of this section plus 25 percent of the difference in instructional units between the base fiscal year and the third fiscal year after the base fiscal year. The schedule established in this subsection is available to a school district for the three fiscal years following the base fiscal year only if the instructional units received by the school district under (a)(1) of this section for each fiscal year is less than the instructional units received by the school district in the base fiscal year. This subsection does not apply to a decrease in instructional units resulting from a loss of enrollment that occurs as a result of a boundary change under AS 29 [FOR PURPOSES OF (a)(1) OF THIS SECTION, IN FISCAL YEARS BEGINNING AFTER JULY 1, 1987, 90 PERCENT OF THE DISTRICT'S TOTAL ELEMENTARY AND SECONDARY INSTRUCTIONAL UNITS FOR THE PRECEDING FISCAL YEAR IS USED IF THAT NUMBER IS GREATER THAN THE DISTRICT'S TOTAL UNDER (a)(1) OF THIS SECTION FOR THE CURRENT FISCAL YEAR]."

Renumber the following bill section accordingly.

A M E N D M E N T

OFFERED IN THE HOUSE

BY REP. GOLL

TO: HB 398

Page 1, line 9:

Delete "or overpayments"

Insert "; relating to the number of allowable total elementary and secondary instructional units in determining state foundation aid for a school district; and providing for an effective date"

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---REVISED---
1990 SESSION STATUTORY APPROPRIATION LIMIT CALCULATION
GENERAL FUND AND GENERAL FUND/PROGRAM RECEIPTS
BASED ON A.S. 37.05.540

APPROPRIATIONS ENACTED IN FY89		
Operating		2,032.5
Capital		132.8
Loans		10.0
G.O. Debt		120.4
Other Debt		12.1
Special Appropriations		
Ch 117 Sec 206, Oil/Hazard Fund		32.0
Ch 13, Oil/Hazard Fund		20.0
Science & Technology Endowment		34.0
Ch 62, Business Incentive Training		0.3
Ch 103, Arctic Winter Games		0.1
Supplementals (for FY89 and prior years)		91.2
Supplementals (for FY88 and prior years)		55.9
TOTAL APPROPRIATIONS		2,541.3
EXCEPTIONS TO THE APPROPRIATION LIMIT		
G.O. Debt Retirement		-120.4
Reappropriations		
Ch 117, Sec 35, Foundation		-3.5
Ch 117, Sec 195, PCE Grants		-1.8
Ch 117, Sec 204, DCAP		-0.4
Science & Technology Endowment (Enacted FY88)		-34.9
TOTAL EXCEPTIONS		-160.1
TOTAL APPROPRIATIONS SUBJECT TO LIMIT		2,381.2
Multiply by 5% plus the change in population and inflation		1.0794
1990 SESSION APPROPRIATION LIMIT		2,570.3
APPROPRIATIONS REQUESTED - 1990 SESSION (Subject to Spending Limit)		
Operating		2,063.1
Capital		228.5
Loans		13.7
School Debt		107.8
Other Debt		12.1
Special Appropriations		
Oil/Hazardous Fund		27.0
Supplementals (for FY90 and prior years)		
HB 428		61.5
HB 464		48.8
HB 453		0.9
HB 459/SB 424		8.6
New Legislation		10.0
TOTAL REQUESTED APPROPRIATIONS		2,582.0
BALANCE OF SPENDING LIMIT OVER APPROPRIATIONS		-11.7

Assumptions: "An appropriation is considered to be made in the fiscal year in which it is enacted" All appropriations included in the FY89 base are those signed into law during that fiscal year, whether it relates to FY89 or FY90. Differences between this calculation and the 1/24/90 version of the spending limit computations are a result of the identification of the actual enactment date of the supplemental appropriation for FY88 (signed by the Governor on 7/3/88). Debt Retirement - The statute refers to general obligation bonds as exceptions to the spending limit. In the more strict interpretation of this statement we would not exclude any other debt. Railbelt Energy Fund expenditures are shown as general funds subject to the spending limit.

CORRECTION

**THIS DOCUMENT
HAS BEEN REPHOTOGRAPHED
TO ASSURE LEGIBILITY**

A M E N D M E N T

OFFERED IN THE HOUSE

BY REP. GOLL

TO: HB 398

Page 1, line 9:

Delete "or overpayments"

Insert "; relating to the number of allowable total elementary and secondary instructional units in determining state foundation aid for a school district; and providing for an effective date"

Page 1, after line 18:

Insert a new bill section to read:

"* Sec. 2. AS 14.17.031(b) is amended to read:

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eligible to receive the total elementary and secondary instructional units determined under (a)(1) of this section plus 50 percent of the difference in total elementary and secondary instructional units between the base fiscal year and the second fiscal year after the base fiscal year; (3) for the third fiscal year after the base fiscal year, the school district is eligible to receive the total elementary and secondary instructional units determined under (a)(1) of this section plus 25 percent of the difference in total elementary and secondary instructional units between the base fiscal year and the third fiscal year after the base fiscal year. The schedule established in this subsection is available to a school district for the three fiscal years following the base fiscal year only if the total elementary and secondary instructional units received by the school district under (a)(1) of this section for each fiscal year are less than the total elementary and secondary instructional units received by the school district in the base fiscal year. This subsection does not apply to a decrease in total elementary and secondary instructional units resulting from a loss of enrollment that occurs as a result of a boundary change under AS 29 [FOR PURPOSES OF (a)(1) OF THIS SECTION, IN FISCAL YEARS BEGINNING AFTER JULY 1, 1987, 90 PERCENT OF THE DISTRICT'S TOTAL ELEMENTARY AND SECONDARY INSTRUCTIONAL UNITS FOR THE PRECEDING FISCAL YEAR IS USED IF THAT NUMBER IS GREATER THAN THE DISTRICT'S TOTAL UNDER (a)(1) OF THIS SECTION FOR THE CURRENT FISCAL YEAR]."

Renumber the following bill section accordingly.

---REVISED---

1990 SESSION STATUTORY APPROPRIATION LIMIT CALCULATION
GENERAL FUND AND GENERAL FUND/PROGRAM RECEIPTS
BASED ON A.S. 37.05.540

APPROPRIATIONS ENACTED IN FY89

Operating	2,032.5	
Capital	132.8	
Loans	10.0	
G.O. Debt	120.4	
Other Debt	12.1	
Special Appropriations		
Ch 117 Sec 206, Oil/Hazard Fund	32.0	
Ch 13, Oil/Hazard Fund	20.0	
Science & Technology Endowment	34.0	
Ch 62, Business Incentive Training	0.3	
Ch 103, Arctic Winter Games	0.1	
Supplementals (for FY89 and prior years)	91.2	
Supplementals (for FY88 and prior years)	55.9	
TOTAL APPROPRIATIONS		2,541.3

EXCEPTIONS TO THE APPROPRIATION LIMIT

G.O. Debt Retirement	-120.4	
Reappropriations		
Ch 117, Sec 35, Foundation	-3.5	
Ch 117, Sec 195, PCE Grants	-1.8	
Ch 117, Sec 204, DCAP	-0.4	
Science & Technology Endowment (Enacted FY88)	-34.0	
TOTAL EXCEPTIONS		-160.1

TOTAL APPROPRIATIONS SUBJECT TO LIMIT 2,381.2

Multiply by 5% plus the change in population and inflation 1.0794

1990 SESSION APPROPRIATION LIMIT 2,570.3

APPROPRIATIONS REQUESTED - 1990 SESSION (Subject to Spending Limit)

Operating	2,063.1	
Capital	228.5	
Loans	13.7	
School Debt	107.8	
Other Debt	12.1	
Special Appropriations		
Oil/Hazardous Fund	27.0	
Supplementals (for FY90 and prior years)		
HB 428	61.5	
HB 464	48.8	
HB 453	0.9	
HB 459/SB 424	8.6	
New Legislation	10.0	
TOTAL REQUESTED APPROPRIATIONS		2,532.0

BALANCE OF SPENDING LIMIT OVER APPROPRIATIONS -11.7

Assumptions: "An appropriation is considered to be made in the fiscal year in which it is enacted" All appropriations included in the FY89 base are those signed into law during that fiscal year, whether it relates to FY89 or FY90. Differences between this calculation and the 1/24/90 version of the spending limit computations are a result of the identification of the actual enactment date of the supplemental appropriation for FY88 (signed by the Governor on 7/3/88). Debt Retirement - The statute refers to general obligation bonds as exceptions to the spending limit. In the more strict interpretation of this statement we would not exclude any other debt. Railbelt Energy Fund expenditures are shown as general funds subject to the spending limit.

FY90 SPENDING LIMIT COMPUTATION
MULTIPLICATION FACTOR

PERCENTAGE
CHANGE

SET BY STATUTE

5.00

CHANGE IN POPULATION

Source: Greg Williams, Dept. of Labor, Research and Analysis

1988	531,000
1989	<u>534,400</u>
	3,400

0.64

CHANGE IN INFLATION

Source: Dept. of Labor, Research and Analysis
CPI - Urban Consumers - Anchorage

First half of 1988	108.4
First half of 1989	<u>110.9</u>
	2.5

2.30

TOTAL

7.94

**1989 SESSION STATUTORY APPROPRIATION LIMIT CALCULATION
GENERAL FUND AND GENERAL FUND/PROGRAM RECEIPTS
BASED ON A.S. 37.05.540**

APPROPRIATIONS ENACTED IN FY88

Operating		
FY89		1,973.1
Capital		
FY89		83.2
FY88 (signed by Governor 7/23/87)		88.5
Loans		
FY89		16.7
FY88 (signed by Governor 7/23/87)		1.0
G.O. Debt		
FY89		135.6
Other Debt		11.8
Special Appropriations		
Science & Technology Endowment (Sec 1, Ch 5, FSSLA 87 repealed & reauthorized at Sec 189, Ch 173, SLA 88)		100.0
Ch 10, SLA 88, Jobs Bill		75.1
Ch 137, SLA 88, Circumpolar Health Studies		0.3
Ch 171, SLA 88, Enforcement of Alcohol Laws		0.2
Supplementals (for FY88 and prior years)		3.6
TOTAL APPROPRIATIONS		2,499.2

EXCEPTIONS TO THE APPROPRIATION LIMIT

G.O. Debt Retirement, FY89	-135.6	
TOTAL EXCEPTIONS		-135.6

TOTAL APPROPRIATIONS SUBJECT TO LIMIT 2,363.6

Multiply by 5% plus the change in population and inflation 1,049.9

1989 SESSION APPROPRIATION LIMIT 2,481.5

APPROPRIATIONS - 1989 SESSION (Subject to Spending Limit)

Operating		2,026.8
Capital		132.8
Loans		10.0
Other Debt		12.1
Special Appropriations		
Oil/Hazardous Fund (Prior Years)		20.0
Oil/Hazardous Fund		32.0
Supplementals (for FY88 and prior years, signed by Governor 7/8/88)		55.9
Supplementals (for FY89 and prior years)		91.2
TOTAL APPROPRIATIONS		2,380.8

BALANCE OF SPENDING LIMIT OVER APPROPRIATIONS 100.7

Assumptions: According to the statute "an appropriation is considered to be made in the fiscal year in which it is enacted." This would require all appropriations included in the FY88 base to be any that were made during the FY88 legislative session, whether it relates to FY88 or FY89.

Debt Retirement - The statute refers only to general obligation bonds as an exception.

FY89 SPENDING LIMIT COMPUTATION
MULTIPLICATION FACTOR

PERCENTAGE
CHANGE

SET BY STATUTE

5.0000

CHANGE IN POPULATION

Source: Greg Williams, Dept. of Labor, Research and Analysis

1987	537,800
1988	<u>531,000</u>
	-6,800

-0.0126

CHANGE IN INFLATION

Source: Dept. of Labor, Research and Analysis
CPI - Urban Consumers - Anchorage

First half of 1987	108.3
First half of 1988	<u>108.4</u>
	0.1

0.0009

TOTAL

4.9883

1988 SESSION STATUTORY APPROPRIATION LIMIT CALCULATION
 GENERAL FUND AND GENERAL FUND/PROGRAM RECEIPTS
 BASED ON A.S. 37.05.540

APPROPRIATIONS ENACTED IN FY87		
Operating		1,846.9
Capital - signed by Governor 7/23/87		0.0
Loans		19.4
G.O. Debt		148.0
Special Appropriations		
Ch 32, Alaska AIDS Program		0.5
Ch 86, Arctic Winter Games		0.6
Supplementals (for FY87 and prior years)		22.6
TOTAL APPROPRIATIONS		2,038.0
EXCEPTIONS TO THE APPROPRIATION LIMIT		
GO Debt		-148.0
TOTAL EXCEPTIONS		-148.0
TOTAL APPROPRIATIONS SUBJECT TO LIMIT		1,890.0
Multiply by 5% plus the change in population and inflation		1.0498
1988 SESSION APPROPRIATION LIMIT		1,984.2
APPROPRIATIONS - 1988 SESSION (Subject to Spending Limit)		
Operating		
FY89		1,973.1
Capital		
FY89		88.2
FY88 (signed by Governor 7/23/87)		88.5
Loans		
FY89		16.7
FY88 (signed by Governor 7/23/87)		1.0
Other Debt		11.8
Special Appropriations		
Science & Technology Endowment (Sec 1, Ch 5, FSSLA 87 repealed & reauthorized at Sec 189, Ch 173, SLA 88)		100.0
Ch 10, SLA 88, Jobs Bill		75.2
Ch 137, SLA 88, Circumpolar Health Studies		0.3
Ch 171, SLA 88, Enforcement of Alcohol Laws		0.2
Supplementals (for FY88 and prior years)		8.6
TOTAL APPROPRIATIONS		2,363.6
BALANCE OF SPENDING LIMIT OVER APPROPRIATIONS		-379.4

Assumptions: According to the statute "an appropriation is considered to be made in the fiscal year in which it is enacted." This would require all appropriations included in the FY87 base to be any that were made during the FY87 legislative session, whether it relates to FY87 or FY88.

Debt Retirement - The statute refers only to general obligation bonds as an exception.

FY88 SPENDING LIMIT COMPUTATION
MULTIPLICATION FACTOR

PERCENTAGE
CHANGE

SET BY STATUTE

5.0000

CHANGE IN POPULATION

Source: Greg Williams, Dept. of Labor, Research and Analysis

1986	547,600
1987	<u>537,800</u>
	-9,800

-0.0179

CHANGE IN INFLATION

Source: Dept. of Labor, Research and Analysis
CPI - Urban Consumers - Anchorage

First half of 1986	239.0
First half of 1987	<u>289.2</u>
	0.2

0.0007

TOTAL

4.9828

STATE OF ALASKA				
ENACTMENT OF APPROPRIATIONS				
GENERAL FUNDS AND GENERAL FUND PROGRAM RECEIPTS				
YEAR OF ENACTMENT	Date of Enactment	FY87	FY88	FY89
Ch 95, SLA 87	6/30/87			
Conference Committee		1,632.0		
New Legislation		12.5		
Program Receipts		45.4		
Sec 19 & 20 Legal Proceedings		9.8		
Sec 22, Pers Svcs		37.7		
School Debt		109.5		
GO Debt		148.0		
Loans		3.7		
Ch 2, SLA 87-Disaster Relief	3/17/87	0.0		
Ch 32, SLA 87-AIDS Program	5/30/87	0.5		
Ch 86, SLA 87-Arctic Winter Games	6/15/87	0.6		
Ch 90, SLA 87-FY87 Supplementals	6/17/87	22.6		
Ch 93, SLA 87 - Student Loans	6/17/87	15.7		
Ch 3, SLA 87 FSS	7/23/87			
Capital			88.5	
Loans			1.0	
Reappropriations-Operating			2.6	
Reappropriations-Capital			7.6	
Ch 5, SLA 87 FSS	7/23/87			
To budget Reserve Fund			250.0	
Ch 154, SLA 88	6/10/88			
Conference Committee			1,399.8	
New Legislation			2.1	
GO Debt			135.6	
Other Debt			11.8	
Ch 12, SLA 88	3/26/88			
Foundation			461.7	
School Debt			109.5	
Ch 172, SLA 88 - Capital	6/17/88			
Loans			88.2	
Loans			16.7	
Ch 10, SLA 88 - JOBS	3/3/88			
Loans			75.2	
Ch 173, SLA 88	7/8/88			
Reappropriations - Operating				10.4
Reappropriations - Capital				30.2
Reapprop-Ch 5, SLA 87-GF*				
FY88 Supplementals				55.0
Ch 6, SLA 88 - FY88 Supplemental	2/25/88			
Loans			0.3	
Ch 20, SLA 88 - FY88 Supplemental	4/22/88			
Loans			8.3	
Ch 137, SLA 88-Circumpolar Hlth	6/8/88			
Loans			0.3	
Ch 153, SLA 88-Disaster Relief	6/9/88			
Loans			0.0	
Ch 171, SLA 88-Alcohol Laws	6/17/88			
Loans			0.2	

YEAR OF ENACTMENT	Date of Enactment	FY87	FY88	FY89
Ch 116, SLA 89	6/17/89			
Conference Committee				1,286.8
New Legislation				3.1
School Debt				107.3
Shared Taxes				18.6
Fisheries Enhancement				10.5
GO Debt				120.4
Other Debt				12.1
Loans				10.0
Ch 117, SLA 89	6/30/89			
Capital				132.2
Reappropriation - Operating				5.7
Reappropriation - Capital				47.4
Ch 87, SLA 89-FY89 Supplementals	6/1/89			37.7
Ch 43, SLA 89-FY89 Supplemental	5/26/89			3.5
Ch 102, SLA 89-Arctic Winter Games	6/13/89			0.1
Ch 62, SLA 89-Business Incentive	5/30/89			0.3
Ch 13, SLA 89-Oil Spill	4/12/89			30.0
TOTALS		2,038.01	2,659.41	2,563.3
* Original Appropriation to Budget Reserve Account. Reappropriation changed it to Science & Technology Endowment and reduced amount to \$100.0 million. Also added contingency.				

FY 90 APPROPRIATION LIMIT CALCULATION
GENERAL FUND AND GENERAL FUND/PROGRAM RECEIPTS
Based on AS 37.05.540

1. Appropriations Enacted in FY89		
A. Operating-Ch. 116, SLA1990 (enacted 6/18/89)		2,026.7
B. Capital		132.8
C. Loans-Ch. 116, SLA 1990		10.0
D. G.O. Debt- Ch. 116, SLA 1989		120.4
E. Lease/Purchase Debt-Ch. 116, SLA 1989		12.1
F. Supplementals-Ch. 87, SLA 1989		91.2
G. Exxon Valdez-Ch. 13, SLA 1989		20.0
H. Transfer Science & Tech to Permanent Fund		34.0
I. Special Appropriations Oil Fund		32.0
J. Other Appropriations-Ch. 43, Ch. 103, Ch 62, SLA 89 Ch. 173, SIA 1988		3.9 55.9
TOTAL APPROPRIATIONS ENACTED IN FY89		2,539.0
2. Not Subject to Limit		
A. G.O. Debt Retirement		-120.4
B. Science & Tech to the Permanent Fund		-34.0
3. Total Appropriations Subject to Limit		2,384.6
4. Multiply #3 by 5% plus the Change in Population and Inflation	X	1.0794
5. MAXIMUM FY 90 APPROPRIATION LIMIT		2,573.9
Under AS 37.05.540		
6. Proposed Appropriations Enacted in FY 90 (Subject to the Spending Limit)		
A. Operating-Governor's FY91 Request		2,170.9
B. Capital (Introduced 2/1/90)		113.5
C. Loans- Governor's Request		13.7
D. G.O. Debt Retirement/Lease Purchase		12.1
E. Special Appropriations Oil Fund		27.0
F. Supplementals-HB428, HB459 & SB 396		75.0
G. Special Maintenance Capital Bill (2/1/90)		48.8
TOTAL APPROPRIATIONS ENACTED IN FY90		2,461.0
7. Amount FY 90 Appropriations are Below the Limit		112.9

Notes: (1) Enacted defined as "when the Governor signs a bill".

(2) Appropriations not subject to the appropriation limit include: G.O. Debt-95.6.
Asibelt Energy Fund Reappropriation 115.0 and transfers to the Permanent Fund.



ALASKA ASSOCIATION OF ELEMENTARY SCHOOL PRINCIPALS
ALASKA ASSOCIATION OF SECONDARY SCHOOL PRINCIPALS
ALASKA ASSOCIATION OF SCHOOL ADMINISTRATORS

• ALASKA COUNCIL OF SCHOOL ADMINISTRATORS •
326 Fourth St., Suite 408 Juneau, Alaska 99801 586-9702

POSITION PAPER

HB 398

"Adjusting a school district's state foundation aid in a fiscal year"

The Alaska Council of School Administrators supports HB 398 with the addition of amendment #1 detailing a process for the reduction of fund under the foundation support program to school districts.

School districts develop budgets around the best information available and on current enrollment as well as projected enrollment for the coming school year. As the school year begins and because of unanticipated events which causes a severe reduction in enrollment, districts can be seriously impacted and with this amendment, the reductions in staff and programs can be accomplished in a gradual, well planned process which will cause as little disruption as possible to the over-all educational program.

We urge this committee to pass the amendment.

① Will
file in H. Hess

AMENDMENT TO HB398

If instructional units which a school district is entitled to under the state foundation funding formula decreases by 10% or more from one year to the next, the school district may use the last year before the reduction as a base year and offset its reduction according to the following schedule:

(1) For the first year after the base year, the school district is entitled to 75% of the difference in instructional units between the base year and the first year.

(2) For the second year after the base year, the school district is entitled to 50% of the difference in instructional units between the base year and the second year.

(3) For the third year after the base year, the school district is entitled to 25% of the difference in instructional units between the base year and third year.

The schedule established in this subsection is available to a school district for the three years following the base year only so long as the entitlement to the instructional units for each year is less than the entitlement of the base year.

This subsection does not apply to a decrease in instructional units resulting from a loss of enrollment which occurs as a result of a boundary change.

STEVE COWPER
GOVERNOR



ce
HB 398

STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

January 8, 1990

The Honorable Sam Cotten
Speaker of the House
Alaska State Legislature
P.O. Box V
Juneau, AK 99811

Dear Mr. Speaker:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill relating to the public school foundation program. The bill would simplify the process of making corrections to underpayments made to school districts in previous fiscal years by permitting current-year state aid to be adjusted rather than requiring a supplemental appropriation. The need for this bill arises from the relationship between the Department of Education and the federal government for federal impact aid purposes under P.L. 81-874.

Under P.L. 81-874, as amended, a state is authorized to consider federal impact aid payments made to school districts as "local resources" under the state's school aid formula, and thus reduce the amount of state aid needed, only if the state's program meets federal equalization criteria. One of those criteria, according to the United States Department of Education's interpretation of its regulations, is that if a state distributes state aid based on an estimated ratio of local support to the district covered by the state's equalization plan to total local support (as Alaska does) then it must make appropriate corrections after the local support estimates are replaced by actual, audited data.

Currently, under AS 14.17.170, the department can require a district to return any overpayments made to it. By implication, it may reduce current-year foundation support by the amount of any overpayment made in a previous fiscal year. There is no statutory provision, however, authorizing the department to use money appropriated for the current-year foundation program to correct underpayments made in prior fiscal years. The Department of Education recommends this bill to permit that use of the current-year