



93RD GENERAL ASSEMBLY

State of Illinois

2003 and 2004

Introduced 02/06/04, by Michael J. Madigan

SYNOPSIS AS INTRODUCED:

225 ILCS 85/10

from Ch. 111, par. 4130

Amends the Pharmacy Practice Act of 1987. Makes a technical change in a Section concerning the State Board of Pharmacy.

LRB093 17323 AMC 42989 b

1 AN ACT concerning professional regulation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Pharmacy Practice Act of 1987 is amended by
5 changing Section 10 as follows:

6 (225 ILCS 85/10) (from Ch. 111, par. 4130)

7 (Section scheduled to be repealed on January 1, 2008)

8 Sec. 10. State Board of Pharmacy. There is created in the
9 Department of Professional Regulation the State Board of
10 Pharmacy. It shall consist of 9 members, 7 of whom shall be
11 licensed pharmacists. Each of those 7 members must be a
12 licensed pharmacist in good standing in this State, a graduate
13 of an accredited college of pharmacy or hold a Bachelor of
14 Science degree in Pharmacy and have at least 5 years' practical
15 experience in the practice of pharmacy subsequent to the date
16 of his licensure as a licensed pharmacist in the State of
17 Illinois. There shall be 2 public members, who shall be voting
18 members, who shall not be licensed pharmacists in this State or
19 any other state.

20 Each member shall be appointed by the Governor.

21 The terms of all members serving as of March 31, 1999 shall
22 expire on that date. The Governor shall appoint 3 persons to
23 serve one-year terms, 3 persons to serve 3-year terms, and 3
24 persons to serve 5-year terms to begin April 1, 1999.
25 Otherwise, members shall be appointed to 5 year terms. No
26 member shall be eligible to serve more than 12 consecutive
27 years.

28 In making the appointment of members on the Board, the
29 Governor shall give due consideration to recommendations by the
30 members of the profession of pharmacy and by pharmaceutical
31 organizations therein. The Governor shall notify the
32 pharmaceutical organizations promptly of any vacancy of

1 members on the Board and in appointing members shall give
2 consideration to individuals engaged in all types and settings
3 of pharmacy practice.

4 The Governor may remove any member of the Board for
5 misconduct, incapacity or neglect of duty and he shall be the
6 sole judge of the sufficiency of the cause for removal.

7 Every person appointed a member of the Board shall take and
8 subscribe the constitutional oath of office and file it with
9 the Secretary of State. Each member of the Board shall be
10 reimbursed for such actual and legitimate expenses as he may
11 incur in going to and from the place of meeting and remaining
12 thereat during sessions of the Board. In addition, each member
13 of the Board shall receive a per diem payment in an amount
14 determined from time to time by the Director for attendance at
15 meetings of the Board and conducting other official business of
16 the Board.

17 The Board shall hold quarterly meetings and an annual
18 meeting in January of each year and such other meetings at such
19 times and places and upon such notice as the Board may
20 determine and as its business may require. Five members of the
21 Board shall constitute a quorum for the transaction of
22 business. The Director shall appoint a pharmacy coordinator,
23 who shall be someone other than a member of the Board. The
24 pharmacy coordinator shall be a registered pharmacist in good
25 standing in this State, shall be a graduate of an accredited
26 college of pharmacy, or hold at a minimum a Bachelor of Science
27 degree in Pharmacy and shall have at least 5 years' experience
28 in the practice of pharmacy immediately prior to his
29 appointment. The pharmacy coordinator shall be the executive
30 administrator and the chief enforcement officer of the Pharmacy
31 Practice Act of 1987.

32 The Board shall exercise the rights, powers and duties
33 which have been vested in the Board under this Act, and any
34 other duties conferred upon the Board by law.

35 The Director shall, in conformity with the Personnel Code,
36 employ not less than 7 pharmacy investigators and 2 pharmacy

1 supervisors. Each pharmacy investigator and each supervisor
2 shall be a registered pharmacist in good standing in this
3 State, and shall be a graduate of an accredited college of
4 pharmacy and have at least 5 years of experience in the
5 practice of pharmacy. The Department shall also employ at least
6 one attorney who is a pharmacist to prosecute violations of
7 this Act and its rules. The Department may, in conformity with
8 the Personnel Code, employ such clerical and other employees as
9 are necessary to carry out the duties of the Board.

10 The duly authorized pharmacy investigators of the
11 Department shall have the right to enter and inspect during
12 business hours any pharmacy or any other place in the State of
13 Illinois holding itself out to be a pharmacy where medicines or
14 drugs or drug products or proprietary medicines are sold,
15 offered for sale, exposed for sale, or kept for sale. The
16 pharmacy investigators shall be the only Department
17 investigators authorized to inspect, investigate, and monitor
18 probation compliance of pharmacists, pharmacies, and pharmacy
19 technicians.

20 (Source: P.A. 91-827, eff. 6-13-00; 92-651, eff. 7-11-02;
21 92-880, eff. 1-1-04.)