

1 AMENDMENT TO SENATE BILL 109

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 109 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Pharmacy Practice Act of 1987 is amended  
5 by 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7 (Section scheduled to be repealed on January 1, 2008)  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 (Text of Section before amendment by P.A. 92-880)

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

21 Each member shall be appointed by the Governor.

22 The terms of all members serving as of March 31, 1999

1 shall expire on that date. The Governor shall appoint 3  
2 persons to serve one-year terms, 3 persons to serve 3-year  
3 terms, and 3 persons to serve 5-year terms to begin April 1,  
4 1999. Otherwise, members shall be appointed to 5 year terms.  
5 No member shall be eligible to serve more than 12 consecutive  
6 years.

7 In making the appointment of members on the Board, the  
8 Governor shall give due consideration to recommendations by  
9 the members of the profession of pharmacy and by  
10 pharmaceutical organizations therein. The Governor shall  
11 notify the pharmaceutical organizations promptly of any  
12 vacancy of members on the Board and in appointing members  
13 shall give consideration to individuals engaged in all types  
14 and settings of pharmacy practice. In filling the first  
15 vacancy to occur after the effective date of this amendatory  
16 Act of the 93rd General Assembly, the Governor shall appoint  
17 a pharmacist who serves as a hospital pharmacist.

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

21 Every person appointed a member of the Board shall take  
22 and subscribe the constitutional oath of office and file it  
23 with the Secretary of State. Each member of the Board shall  
24 be reimbursed for such actual and legitimate expenses as he  
25 may incur in going to and from the place of meeting and  
26 remaining thereat during sessions of the Board. In addition,  
27 each member of the Board shall receive a per diem payment in  
28 an amount determined from time to time by the Director for  
29 attendance at meetings of the Board and conducting other  
30 official business of the Board.

31 The Board shall hold quarterly meetings and an annual  
32 meeting in January of each year and such other meetings at  
33 such times and places and upon such notice as the Board may  
34 determine and as its business may require. Five members of

1 the Board shall constitute a quorum for the transaction of  
2 business. The Director shall appoint a pharmacy coordinator,  
3 who shall be someone other than a member of the Board. The  
4 pharmacy coordinator shall be a registered pharmacist in good  
5 standing in this State, shall be a graduate of an accredited  
6 college of pharmacy, or hold at a minimum a Bachelor of  
7 Science degree in Pharmacy and shall have at least 5 years'  
8 experience in the practice of pharmacy immediately prior to  
9 his appointment. The pharmacy coordinator shall be the  
10 executive administrator and the chief enforcement officer of  
11 the Pharmacy Practice Act of 1987.

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

15 The Director shall, in conformity with the Personnel  
16 Code, employ not less than 7 pharmacy investigators and 2  
17 pharmacy supervisors. Each pharmacy investigator and each  
18 supervisor shall be a registered pharmacist in good standing  
19 in this State, and shall be a graduate of an accredited  
20 college of pharmacy and have at least 5 years of experience  
21 in the practice of pharmacy. The Department shall also  
22 employ at least one attorney who is a pharmacist to prosecute  
23 violations of this Act and its rules. The Department may, in  
24 conformity with the Personnel Code, employ such clerical and  
25 other employees as are necessary to carry out the duties of  
26 the Board.

27 The duly authorized pharmacy investigators of the  
28 Department shall have the right to enter and inspect during  
29 business hours any pharmacy or any other place in the State  
30 of Illinois holding itself out to be a pharmacy where  
31 medicines or drugs or drug products or proprietary medicines  
32 are sold, offered for sale, exposed for sale, or kept for  
33 sale. The pharmacy investigators shall be the only  
34 Department investigators authorized to inspect, investigate,

1 and monitor probation compliance of pharmacists and  
2 pharmacies.

3 (Source: P.A. 91-827, eff. 6-13-00; 92-651, eff. 7-11-02.)

4 (Text of Section after amendment by P.A. 92-880)

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19 and monitor probation compliance of pharmacists, pharmacies,  
20 and pharmacy technicians.

21 (Source: P.A. 91-827, eff. 6-13-00; 92-651, eff. 7-11-02;  
22 92-880, eff. 1-1-04.)

23 Section 95. No acceleration or delay. Where this Act  
24 makes changes in a statute that is represented in this Act by  
25 text that is not yet or no longer in effect (for example, a  
26 Section represented by multiple versions), the use of that  
27 text does not accelerate or delay the taking effect of (i)  
28 the changes made by this Act or (ii) provisions derived from  
29 any other Public Act.

30 Section 99. Effective date. This Act takes effect upon  
31 becoming law."