

SB2028



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

SB2028

Introduced 2/7/2008, by Sen. Terry Link

SYNOPSIS AS INTRODUCED:

225 ILCS 85/12

from Ch. 111, par. 4132

225 ILCS 120/24 rep.

Amends the Pharmacy Practice Act. Includes registered pharmacy technicians in provisions concerning license and certificate expiration, renewal, and restoration and licensee and registrant military service. Sets forth continuing education requirements for pharmacy technicians. Amends the Wholesale Drug Act to repeal a Section that requires wholesale distributors to submit a bond to the Department. Effective immediately.

LRB095 18963 RAS 45132 b

A BILL FOR

1 AN ACT concerning 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 is amended by changing
5 Section 12 as follows:

6 (225 ILCS 85/12) (from Ch. 111, par. 4132)

7 (Section scheduled to be repealed on January 1, 2018)

8 Sec. 12. Expiration of license or certificate of
9 registration; renewal; military service. The expiration date
10 and renewal period for each license and certificate of
11 registration issued under this Act shall be set by rule.

12 As a condition for the renewal of a ~~certificate of~~
13 ~~registration as a~~ pharmacist license, the licensee ~~registrant~~
14 shall provide evidence to the Department of completion of a
15 total of 30 hours of pharmacy continuing education during the
16 24 months preceding the expiration date of the license
17 ~~certificate~~. Such continuing education shall be approved by the
18 Accreditation Council on Pharmacy Education.

19 As a condition for the renewal of a certificate of
20 registration as a pharmacy technician, the registrant shall
21 provide evidence to the Department of completion of a total of
22 15 hours of pharmacy continuing education during the 24 months
23 preceding the expiration date of the certificate. Such

1 continuing education shall be approved by the Accreditation
2 Council on Pharmacy Education.

3 The Department shall establish by rule a means for the
4 verification of completion of the continuing education
5 required by this Section. This verification may be accomplished
6 through audits of records maintained by licensees or
7 registrants, by requiring the filing of continuing education
8 certificates with the Department or a qualified organization
9 selected by the Department to maintain such records or by other
10 means established by the Department.

11 Rules developed under this Section may provide for a
12 reasonable biennial fee, not to exceed \$20, to fund the cost of
13 such recordkeeping. The Department shall, by rule, further
14 provide an orderly process for the reinstatement of licenses or
15 certificates which have not been renewed due to the failure to
16 meet the continuing education requirements of this Section. The
17 requirements of continuing education may be waived, in whole or
18 in part, in cases of extreme hardship as defined by rule of the
19 Department. Such waivers shall be granted for not more than one
20 of any 3 consecutive renewal periods.

21 Any pharmacist or pharmacy technician who has permitted his
22 or her license or certificate to expire or who has had his or
23 her license or certificate on inactive status may have his or
24 her license or certificate restored by making application to
25 the Department and filing proof acceptable to the Department of
26 his or her fitness to have his or her license restored, and by

1 paying the required restoration fee. The Department shall
2 determine, by an evaluation program established by rule his or
3 her fitness for restoration of his or her license and shall
4 establish procedures and requirements for such restoration.
5 However, any pharmacist who demonstrates that he or she has
6 continuously maintained active practice in another
7 jurisdiction pursuant to a license in good standing, and who
8 has substantially complied with the continuing education
9 requirements of this Section shall not be subject to further
10 evaluation for purposes of this Section.

11 Any licensee or registrant who shall engage in the practice
12 for which his or her license or certificate was issued while
13 the license or certificate is expired or on inactive status
14 shall be considered to be practicing without a license or
15 certificate, which~~r~~ shall be grounds for discipline under
16 Section 30 of this Act.

17 Any pharmacy operating on an expired license is engaged in
18 the unlawful practice of pharmacy and is subject to discipline
19 under Section 30 of this Act. A pharmacy whose license has been
20 expired for one year or more may not have its license restored
21 but must apply for a new license and meet all requirements for
22 licensure. Any pharmacy whose license has been expired for less
23 than one year may apply for restoration of its license and
24 shall have its license restored.

25 However, any pharmacist or pharmacy technician whose
26 license or certificate expired while he or she was (1) in

1 Federal Service on active duty with the Armed Forces of the
2 United States, or the State Militia called into service or
3 training, or (2) in training or education under the supervision
4 of the United States preliminary to induction into the military
5 service, may have his or her license or certificate restored
6 without paying any lapsed renewal fees, if within 2 years after
7 honorable termination of such service, training or education he
8 or she furnishes the Department with satisfactory evidence to
9 the effect that he or she has been so engaged and that his or
10 her service, training or education has been so terminated.

11 (Source: P.A. 95-689, eff. 10-29-07.)

12 (225 ILCS 120/24 rep.)

13 Section 10. The Wholesale Drug Distribution Licensing Act
14 is amended by repealing Section 24.

15 Section 99. Effective date. This Act takes effect upon
16 becoming law.