

# SB2696



## 95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

SB2696

Introduced 2/15/2008, by Sen. Emil Jones, Jr.

### 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.

LRB095 05648 RAS 25738 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 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7 (Section scheduled to be repealed on January 1, 2008)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 ~~the~~ Department the State Board of Pharmacy. It shall consist of  
10 9 members, 7 of whom shall be licensed pharmacists. Each of  
11 those 7 members must be a licensed pharmacist in good standing  
12 in this State, a graduate of an accredited college of pharmacy  
13 or hold a Bachelor of Science degree in Pharmacy and have at  
14 least 5 years' practical experience in the practice of pharmacy  
15 subsequent to the date of his licensure as a licensed  
16 pharmacist in the State of Illinois. There shall be 2 public  
17 members, who shall be voting members, who shall not be licensed  
18 pharmacists in this State or any other state.

19 Each member shall be appointed by the Governor.

20 The terms of all members serving as of March 31, 1999 shall  
21 expire on that date. The Governor shall appoint 3 persons to  
22 serve one-year terms, 3 persons to serve 3-year terms, and 3  
23 persons to serve 5-year terms to begin April 1, 1999.

1 Otherwise, members shall be appointed to 5 year terms. No  
2 member shall be eligible to serve more than 12 consecutive  
3 years.

4 In making the appointment of members on the Board, the  
5 Governor shall give due consideration to recommendations by the  
6 members of the profession of pharmacy and by pharmaceutical  
7 organizations therein. The Governor shall notify the  
8 pharmaceutical organizations promptly of any vacancy of  
9 members on the Board and in appointing members shall give  
10 consideration to individuals engaged in all types and settings  
11 of pharmacy practice.

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

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

25 The Board shall hold quarterly meetings and an annual  
26 meeting in January of each year and such other meetings at such

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

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

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

1 are necessary to carry out the duties of the Board.

2 The duly authorized pharmacy investigators of the  
3 Department shall have the right to enter and inspect during  
4 business hours any pharmacy or any other place in the State of  
5 Illinois holding itself out to be a pharmacy where medicines or  
6 drugs or drug products or proprietary medicines are sold,  
7 offered for sale, exposed for sale, or kept for sale. The  
8 pharmacy investigators shall be the only Department  
9 investigators authorized to inspect, investigate, and monitor  
10 probation compliance of pharmacists, pharmacies, and pharmacy  
11 technicians.

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