

D R A F T

SUMMARY

Changes State Board of Pharmacy membership to include one licensed pharmacy technician and remove one member of public.
Declares emergency, effective on passage.

A BILL FOR AN ACT

Relating to the State Board of Pharmacy; creating new provisions; amending ORS 689.115; and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 689.115 is amended to read:

689.115. (1) The State Board of Pharmacy consists of seven members appointed by the Governor and subject to confirmation by the Senate in the manner provided in ORS 171.562 and 171.565. All members of the board must be residents of this state. Of the members of the board:

(a) Five must be licensed pharmacists.

(b) [*Two*] **One** must be a **licensed pharmacy technician**.

(c) **One must be a** [*members*] **member** of the public who [*are*] **is not a** licensed [*pharmacists*] **pharmacist** or a spouse, domestic partner, child, parent or sibling of a pharmacist.

(2)(a) Board members required to be licensed pharmacists may be selected by the Governor from a list of three to five nominees for each vacancy, submitted by a task force assembled by the Oregon State Pharmacy Association to represent all of the interested pharmacy groups.

(b) **The licensed pharmacy technician member of the board must, at the time of appointment:**

1 (A) **Be licensed and in good standing to perform the duties of a**
2 **pharmacy technician in this state;**

3 (B) **Be engaged in the performance of the duties of a pharmacy**
4 **technician in this state; and**

5 (C) **Have at least three years of experience in performing the duties**
6 **of a pharmacy technician in this state after licensure.**

7 [(b)] (c) The public [*members*] **member** of the State Board of Pharmacy
8 must be **an** [*individuals*] **individual** who:

9 (A) [*Have*] **Has** attained the age of majority;

10 (B) [*Are*] **Is** not **a current or** former [*members*] **member** of the profession
11 of pharmacy;

12 (C) [*Do*] **Does** not have and [*have*] **has** never had any material financial
13 interest in the providing of pharmacy service; and

14 (D) [*Have*] **Has** not engaged in any activity directly related to the practice
15 of pharmacy.

16 [(c)] (d) The licensed pharmacist members of the board must, at the time
17 of [*their*] appointment:

18 (A) Be licensed and in good standing to engage in the practice of phar-
19 macy in this state;

20 (B) Be engaged in the practice of pharmacy in this state; and

21 (C) Have five years of experience in the practice of pharmacy in this state
22 after licensure.

23 [(d)] (e) In selecting the members of the board, the Governor shall strive
24 to balance the representation on the board according to:

25 (A) Geographic areas of this state; and

26 (B) Ethnic group.

27 (3)(a) The term of office of each member is four years, but a member
28 serves at the pleasure of the Governor. The terms must be staggered so that
29 no more than three terms end each year. A member is eligible for reap-
30 pointment. The Governor shall fill vacancies which occur by expiration of
31 full terms within 90 days prior to each date of expiration, and shall fill va-

1 cancies which occur for any other reason within 60 days after each such
2 vacancy occurs, for the unexpired term.

3 (b) A board member shall be removed immediately from the board if,
4 during the member's term, the member:

5 (A) Is not a resident of this state;

6 (B) Has been absent from three consecutive board meetings, unless at
7 least one absence is excused; *[or]*

8 (C) Is not a licensed pharmacist or a retired pharmacist who was a li-
9 censed pharmacist in good standing at the time of retirement, if the board
10 member was appointed to serve on the board as a pharmacist; **or**

11 **(D) Ceases to be a licensed pharmacy technician, if the board**
12 **member was appointed to serve on the board as a pharmacy**
13 **technician.**

14 (4) Members of the board are entitled to compensation and expenses as
15 provided in ORS 292.495. The board may provide by rule for compensation
16 to board members for the performance of official duties at a rate that is
17 greater than the rate provided in ORS 292.495.

18 **SECTION 2. The Governor shall appoint a licensed pharmacy tech-**
19 **nician as required under section 1 (1)(b) of this 2015 Act to the State**
20 **Board of Pharmacy at the next expiration of the term of a board**
21 **member who is a member of the public.**

22 **SECTION 3. This 2015 Act being necessary for the immediate pres-**
23 **ervation of the public peace, health and safety, an emergency is de-**
24 **clared to exist, and this 2015 Act takes effect on its passage.**

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