

Enrolled
Senate Bill 148

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CHAPTER

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*] **nine** 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 must be licensed pharmacy technicians.

[(b)] (c) Two must be members of the public who are not licensed pharmacists 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 members of the board must, at the time of appointment:

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

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

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

[(b)] (c) The public members of the State Board of Pharmacy must be individuals who:

(A) Have attained the age of majority;

(B) Are not **current or** former members of the profession of pharmacy;

(C) Do not have and have never had any material financial interest in the providing of pharmacy service; and

(D) Have not engaged in any activity directly related to the practice of pharmacy.

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

(A) Be licensed and in good standing to engage in the practice of pharmacy in this state;

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

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

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

(A) Geographic areas of this state; and

(B) Ethnic group.

(3)(a) The term of office of each member is four years, but a member serves at the pleasure of the Governor. The terms must be staggered so that no more than three terms end each year. A member is eligible for reappointment. The Governor shall fill vacancies which occur by expiration of full terms within 90 days prior to each date of expiration, and shall fill vacancies which occur for any other reason within 60 days after each such vacancy occurs, for the unexpired term.

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

(A) Is not a resident of this state;

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

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

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

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

SECTION 2. The Governor shall appoint the licensed pharmacy technicians as required under section 1 (1)(b) of this 2015 Act to the State Board of Pharmacy for terms beginning on January 1, 2016.

SECTION 3. This 2015 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect on its passage.

Passed by Senate March 31, 2015

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Lori L. Brocker, Secretary of Senate

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Peter Courtney, President of Senate

Passed by House May 28, 2015

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Tina Kotek, Speaker of House

Received by Governor:

.....M.,....., 2015

Approved:

.....M.,....., 2015

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Kate Brown, Governor

Filed in Office of Secretary of State:

.....M.,....., 2015

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Jeanne P. Atkins, Secretary of State