

# Senate Bill 148

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## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

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

1  
2 Relating to the State Board of Pharmacy; creating new provisions; amending ORS 689.115; and de-  
3 claring an emergency.

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

5 **SECTION 1.** ORS 689.115 is amended to read:

6 689.115. (1) The State Board of Pharmacy consists of seven members appointed by the Governor  
7 and subject to confirmation by the Senate in the manner provided in ORS 171.562 and 171.565. All  
8 members of the board must be residents of this state. Of the members of the board:

9 (a) Five must be licensed pharmacists.

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

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

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

16 (b) **The licensed pharmacy technician member of the board must, at the time of ap-**  
17 **pointment:**

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

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

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

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

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

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

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

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

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

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

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

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

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

5 [(d)] (e) In selecting the members of the board, the Governor shall strive to balance the repre-  
6 sentation on the board according to:

7 (A) Geographic areas of this state; and

8 (B) Ethnic group.

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

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

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

17 (B) Has been absent from three consecutive board meetings, unless at least one absence is ex-  
18 cused; [or]

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

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

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

27 **SECTION 2. The Governor shall appoint a licensed pharmacy technician as required un-**  
28 **der section 1 (1)(b) of this 2015 Act to the State Board of Pharmacy at the next expiration**  
29 **of the term of a board member who is a member of the public.**

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

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