

Report From Agency

STATE OF WISCONSIN
PHARMACY EXAMINING BOARD

IN THE MATTER OF RULE-MAKING : PROPOSED ORDER OF THE
PROCEEDINGS BEFORE THE : PHARMACY EXAMINING BOARD
PHARMACY EXAMINING BOARD : ADOPTING RULES
: CLEARINGHOUSE RULE 14-023

PROPOSED ORDER

An order of the Pharmacy Examining Board to amend Phar 1.02(7), Phar 7.10(1), and Phar 16.03 relating to council and exam names.

Analysis prepared by the Department of Safety and Professional Services.

ANALYSIS

Statutes interpreted: §§ 450.035 and 450.085, Wis. Stats.

Statutory authority: §§ 15.08 (5)(b) and 450.02(2), Wis. Stats.

Explanation of agency authority:

The board has authority to promulgate rules for the guidance of the profession and to interpret the provisions of the statutes it enforces. The board shall adopt rules defining the active practice of pharmacy.

Related statute or rule: None

Plain language analysis:

Section 1 capitalizes the proper name of the examination.

Sections 2 and 3 correct the name of the organization which approves the course of study to Accreditation Council for Pharmacy Education as amended in the statutes by 2013 Act 124. In addition, Section 3 removes the qualification of “pharmacist” for attendance and deletes in the note the reference to a list of board approved programs which is no longer compiled.

Summary of, and comparison with, existing or proposed federal regulation: None

Comparison with rules in adjacent states:

Illinois: Illinois administrative code references the Accreditation Council for Pharmacy Education and the North American Pharmacy Licensing Examination.

Iowa: Iowa administrative code references the Accreditation Council for Pharmacy Education and the North American Pharmacy Licensing Examination.

Michigan: Michigan administrative code references the Accreditation Council for Pharmacy Education and the North American Pharmacy Licensing Examination.

Minnesota: Minnesota administrative code references the Accreditation Council for Pharmacy Education and the North American Pharmacy Licensing Examination.

Summary of factual data and analytical methodologies:

The rule reflects the statutory change due to 2013 Act 124.

Analysis and supporting documents used to determine effect on small business or in preparation of economic impact analysis:

The rule was posted for economic impact comments for 14 days and none were received.

Fiscal Estimate and Economic Impact Analysis:

The Fiscal Estimate and Economic Impact Analysis is attached.

Effect on small business:

These proposed rules do not have an economic impact on small businesses, as defined in s. 227.114 (1), Stats. The Department's Regulatory Review Coordinator may be contacted by email at Tom.Engels@wisconsin.gov, or by calling (608) 266-8608.

Agency contact person:

Sharon Henes, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Board Services, 1400 East Washington Avenue, Room 151, P.O. Box 8366, Madison, Wisconsin 53708; telephone 608-261-2377; email at Sharon.Henes@wisconsin.gov.

Place where comments are to be submitted and deadline for submission:

Comments may be submitted to Sharon Henes, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Board Services, 1400 East Washington Avenue, Room 151, P.O. Box 8366, Madison, WI 53708-8935, or by email to Sharon.Henes@wisconsin.gov. Comments must be received on or before the public hearing to be held on March 26, 2014 to be included in the record of rule-making proceedings.

TEXT OF RULE

SECTION 1. Phar 1.02 (7) is amended to read:

Phar 1.02 (7) "NAPLEX" means the ~~north~~ North American ~~pharmacy licensing examination~~ Pharmacy Licensing Examination.

SECTION 2. Phar 7.10(1) is amended to read:

Phar 7.10(1) The pharmacist has successfully completed 12 hours in a course of study and training, approved by the ~~American council on pharmaceutical education~~ Accreditation Council for Pharmacy Education or the board, in injection techniques, emergency procedures and record keeping.

SECTION 3. Phar 16.03 is amended to read:

Phar 16.03 **Acceptable continuing educational programs.** The board recognizes only those educational programs offered by a provider approved by the ~~American council on pharmaceutical education~~ Accreditation Council for Pharmacy Education at the time of the pharmacist's attendance, or other board approved programs.

Note: ~~A list of board approved programs is available from the Department of Safety and Professional Services, Bureau of Health Professions, 1400 East Washington Avenue, P.O. Box 8935, Madison, Wisconsin 53708.~~ As of August 9, 1999, the board has not approved any programs other than programs offered by a provider approved by the ~~American Council on Pharmaceutical Education~~ Accreditation Council for Pharmacy Education.

SECTION 4. EFFECTIVE DATE. The rules adopted in this order shall take effect on the first day of the month following publication in the Wisconsin administrative register, pursuant to s. 227.22 (2) (intro.), Stats.

(END OF TEXT OF RULE)

This Proposed Order of the Pharmacy Examining Board is approved for submission to the Legislature.

Dated _____

Agency 
Chair of the Pharmacy Examining Board