

STATE OF OKLAHOMA

2nd Session of the 48th Legislature (2002)

HOUSE BILL HB2069

By: Covey

AS INTRODUCED

An Act relating to professions; amending 59 O.S. 2001, Section 353.7, which relates to the Oklahoma Pharmacy Act; clarifying issuance of certificates of registration; repealing 59 O.S. 2001, Section 353.1 (Section 2, Chapter 281, O.S.L. 2001), which relates to the Oklahoma Pharmacy Act; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 59 O.S. 2001, Section 353.7, is amended to read as follows:

Section 353.7 The State Board of Pharmacy shall have the powers and duties to:

1. Regulate the practice of pharmacy;
2. Regulate the sale of drugs, medicines, chemicals and poisons;
3. Regulate the dispensing of drugs and medicines in all places where drugs and medicines are compounded or dispensed;
4. Enter and inspect, by its members or by its duly authorized representatives, any and all places, including premises, equipment, contents and records, where drugs, medicines, chemicals or poisons are stored, sold, vended, given away, compounded, dispensed or manufactured;
5. Employ the number of inspectors necessary to carry out the provisions of the Oklahoma Pharmacy Act at an annual salary to be fixed by the Board, and to authorize necessary expenses. Such inspectors shall have the same powers and authority as that granted to peace officers by the laws of this state for the purpose of enforcing the Oklahoma Pharmacy Act. In addition, such inspectors

shall have the authority and the duty to confiscate all drugs, medicines, chemicals or poisons found to be stored, sold, vended, given away, compounded, dispensed or manufactured contrary to the provisions of the Oklahoma Pharmacy Act;

6. Prescribe minimum standards with respect to floor space and other physical characteristics of pharmacies, as may be reasonably necessary to the maintenance of professional surroundings and to the protection of the safety and welfare of the public, and to refuse the issuance of new or renewal licenses for failure to comply with such standards;

7. Examine and issue appropriate certificates of registration as ~~Doctor of Pharmacy~~ pharmacists to all applicants whom it shall deem qualified to be such under the provisions of the Oklahoma Pharmacy Act;

8. Investigate complaints, hold hearings and subpoena witnesses and records;

9. Initiate prosecution;

10. Reprimand or place on probation any holder of a certificate, license or permit; suspend or revoke certificates, licenses or permits, and levy fines not to exceed Five Hundred Dollars (\$500.00) for each count for which any holder of a certificate, license or permit has been convicted in Board hearings;

11. Adopt and establish rules of professional conduct appropriate to the establishment and maintenance of a high standard of integrity and dignity in the profession of pharmacy. Such rules shall be subject to amendment or repeal by the Board as the need may arise;

12. Perform such other duties, exercise such other powers and employ such other personnel as the provisions and enforcement of the Oklahoma Pharmacy Act may require; and

13. Make and publish uniform rules such as may be necessary for carrying out and enforcing the provisions of the Oklahoma Pharmacy

Act, Oklahoma drug laws and rules, federal drug laws and regulations, and such other areas as in its discretion may be necessary to protect the health, safety and welfare of the public.

SECTION 2. REPEALER 59 O.S. 2001, Section 353.1 (Section 2, Chapter 281, O.S.L. 2001), is hereby repealed.

SECTION 3. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

48-2-7526 CLD 6/12/15