

STATE OF WISCONSIN
PHARMACY EXAMINING BOARD

IN THE MATTER OF RULE-MAKING	:	NOTICE OF TIME PERIOD
PROCEEDINGS BEFORE THE	:	FOR COMMENTS FOR THE
PHARMACY EXAMINING BOARD	:	ECONOMIC IMPACT ANALYSIS
	:	

NOTICE IS HEREBY GIVEN of the time period for public comment on the economic impact of this proposed rule of the Pharmacy Examining Board relating to council and name changes, including how this proposed rule may affect businesses, local government units and individuals. The comments will be considered when the Department of Safety and Professional Services prepares the Economic Impact Analysis pursuant to § 227.137. Written comments may be submitted to:

Sharon Henes, Administrative Rules Coordinator
Division of Policy Development
Department of Safety and Professional Services
PO Box 8366
Madison, WI 53708-8935
Sharon.Henes@wisconsin.gov

The deadline for submitting economic impact comments is February 26, 2014.

PROPOSED ORDER

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

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.

Section 2 and 3 corrects 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:

Fiscal Estimate and Economic Impact Analysis:

The department is currently soliciting information and advice from businesses, local government units and individuals in order to prepare the Economic Impact Analysis.

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 Policy Development, 1400 East Washington Avenue, Room 151, P.O. Box 8366, Madison, Wisconsin 53708; telephone 608-266-2377; email at Sharon.Henes@wisconsin.gov.

TEXT OF RULE

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

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

Dated _____

Agency _____

Member of the Board
Pharmacy Examining Board