

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action:	Do Pass as Amended and Be Printed Engrossed
Vote:	8 - 0 - 1
Yeas:	Bonamici, Bruun, Cannon, Flores, Kotek, Maurer, Richardson, Greenlick
Nays:	0
Exc.:	Gelser
Prepared By:	Sandy Thiele-Cirka, Administrator
Meeting Dates:	3/13 (Policy sub), 3/22 (Policy sub), 3/23 (Full), 4/5 (Policy sub), 4/6 (Full)

WHAT THE MEASURE DOES: Increases the maximum amount of civil penalty that can be assessed by the State Board of Pharmacy to \$1,000 per violation for an individual and \$10,000 per violation for a drug outlet. Establishes continuing jurisdiction of board over licensees and certificate holders.

ISSUES DISCUSSED:

- Current Board of Pharmacy statutory limitations
- Ability to recover legal fees and other costs relating to contested case hearings
- The need to increase available options
- Proposed amendments
- Differences between individual offenses and drug outlet offenses
- Oregon State Bar Association, Administrative Law Section concerns
- The need to review current authority of all regulatory bodies to assess administrative costs in the contested case process
- Concurrence of State Board of Pharmacy with amendments

EFFECT OF COMMITTEE AMENDMENT: Creates a \$1000 civil penalty for individual licensees and \$10,000 civil penalty for drug outlets. Deletes the language that authorizes the board to assess costs of other disciplinary process against licensees or certificate holders that has been disciplined.

BACKGROUND: The Oregon State Board of Pharmacy promotes, preserves and protects the public health, safety and welfare by ensuring high standards in the practice of pharmacy and by regulating the quality, manufacture, sale and distribution of drugs.

Currently, the board can issue civil penalties up to \$1,000 per violation. SB 200-A increases the maximum civil penalty to \$1,000 per violation for individual offenses and \$10,000 per violation for drug outlet offenses.

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This summary has not been adopted or officially endorsed by action of the committee.