

**REVENUE:** No revenue impact

**FISCAL:** Minimal fiscal impact, no statement issued

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**Action:** Do Pass  
**Vote:** 4 - 1 - 0  
**Yeas:** Kruse, Monnes Anderson, Verger, Morrisette  
**Nays:** George G.  
**Exc.:** 0  
**Prepared By:** Ilana Weinbaum, Administrator  
**Meeting Dates:** 1/29

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**WHAT THE MEASURE DOES:**

Increases the maximum amount of civil penalty that can be assessed by the State Board of Pharmacy from \$1000 to \$5000 per violation. Authorizes the board to assess costs of the disciplinary process. Grants the board ongoing jurisdiction in cases where a license has lapsed or been suspended or revoked.

**ISSUES DISCUSSED:**

- Number of civil penalties issued in past year
- Revenue generated by penalties and use of funds
- Need to increase civil penalty maximum
- Other disciplinary actions taken by board
- Costs associated with false accusations
- Potential for increased penalty to change the way the board conducts business
- Disciplinary authority of other boards

**EFFECT OF COMMITTEE AMENDMENT:** No amendment.

**BACKGROUND:**

The mission of the Oregon State Board of Pharmacy is to promote, preserve and protect 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, not to exceed \$1000 per violation. SB 200 would increase the maximum civil penalty to \$5000 per violation. In addition, the board believes current statute does not give it the authority to recover administrative costs associated with disciplinary action or the option of continuing jurisdiction and SB 200 would expand the board's authority in these areas. Other health related profession agencies, including the Board of Nursing, Board of Medical Examiners, Board of Dentistry, Board of Chiropractic Examiners have expanded authority in these areas.