

House Bill 2393

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Pre-session filed (at the request of House Interim Committee on Health Care)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Adds pharmacy technician to State Board of Pharmacy.
Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to the membership of the State Board of Pharmacy; amending ORS 689.115; and declaring
3 an emergency.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 689.115 is amended to read:

6 689.115. (1) The State Board of Pharmacy consists of [*seven*] **eight** members appointed by the
7 Governor and subject to confirmation by the Senate in the manner provided in ORS 171.562 and
8 171.565. All members of the board must be residents of this state. Of the members of the board:

9 (a) Five must be licensed pharmacists.

10 **(b) One must be a pharmacy technician licensed under ORS 689.486.**

11 [*b*] (c) Two must be members of the public who are not licensed pharmacists or a spouse, do-
12 mestic partner, child, parent or sibling of a pharmacist.

13 (2)(a) Board members required to be licensed pharmacists may be selected by the Governor from
14 a list of three to five nominees for each vacancy, submitted by a task force assembled by the Oregon
15 State Pharmacy Association to represent all of the interested pharmacy groups.

16 (b) The public members of the State Board of Pharmacy must be individuals who:

17 (A) Have attained the age of majority;

18 (B) Are not former members of the profession of pharmacy;

19 (C) Do not have and have never had any material financial interest in the providing of pharmacy
20 service; and

21 (D) Have not engaged in any activity directly related to the practice of pharmacy.

22 (c) The licensed pharmacist members of the board must at the time of their appointment:

23 (A) Be licensed and in good standing to engage in the practice of pharmacy in this state;

24 (B) Be engaged in the practice of pharmacy in this state; and

25 (C) Have five years of experience in the practice of pharmacy in this state after licensure.

26 (d) In selecting the members of the board, the Governor shall strive to balance the represen-
27 tation on the board according to:

28 (A) Geographic areas of this state; and

29 (B) Ethnic group.

30 (3)(a) The term of office of each member is four years, but a member serves at the pleasure of
31 the Governor. The terms must be staggered so that no more than three terms end each year. A

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 member is eligible for reappointment. The Governor shall fill vacancies which occur by expiration
2 of full terms within 90 days prior to each date of expiration, and shall fill vacancies which occur for
3 any other reason within 60 days after each such vacancy occurs, for the unexpired term.

4 (b) A board member shall be removed immediately from the board if, during the member's term,
5 the member:

6 (A) Is not a resident of this state;

7 (B) Has been absent from three consecutive board meetings, unless at least one absence is ex-
8 cused; [or]

9 (C) Is not a licensed pharmacist or a retired pharmacist who was a licensed pharmacist in good
10 standing at the time of retirement, if the board member was appointed to serve on the board as a
11 pharmacist[.]; or

12 **(D) Is not a licensed pharmacy technician or a retired pharmacy technician who was a**
13 **licensed pharmacy technician in good standing at the time of retirement, if the board mem-**
14 **ber was appointed to serve on the board as a pharmacy technician.**

15 (4) Members of the board are entitled to compensation and expenses as provided in ORS 292.495.
16 The board may provide by rule for compensation to board members for the performance of official
17 duties at a rate that is greater than the rate provided in ORS 292.495.

18 **SECTION 2. This 2011 Act being necessary for the immediate preservation of the public**
19 **peace, health and safety, an emergency is declared to exist, and this 2011 Act takes effect**
20 **on its passage.**

21 _____