

SENATE FILE NO. SF0061

Pharmacy act amendments.

Sponsored by: Senator(s) Massie and Aullman and
Representative(s) Harvey and Iekel

A BILL

for

1 AN ACT relating to the Wyoming Pharmacy Act; revising the
2 composition of the board of pharmacy and member eligibility
3 as specified; revising pharmacy license fees as specified;
4 revising qualifications for licensure by examination and by
5 reciprocity; authorizing summary suspensions of licensees
6 by the board; providing qualifications for foreign trained
7 pharmacy interns; authorizing disciplinary actions against
8 pharmacy interns; revising licensing requirements for drug
9 distributors as specified; authorizing denial, suspension,
10 revocation or summary suspension of drug distributor
11 licenses; authorizing civil penalties against drug
12 distributors and pharmacy technicians as specified;
13 providing for reciprocal licensing of nonresident drug
14 distributors; revising minimum requirements for
15 telepharmacies; amending grounds for disciplinary action
16 against pharmacy technicians; conforming provisions;

1 repealing obsolete provisions; amending definitions;
2 providing definitions; and providing for an effective
3 date.

4

5 *Be It Enacted by the Legislature of the State of Wyoming:*

6

7 **Section 1.** W.S. 33-24-101(b)(iv)(A) and (D),
8 33-24-102(a), 33-24-103, 33-24-112(a)(iv), (v) and by
9 creating a new paragraph (vi), 33-24-116,
10 33-24-122(a)(intro) and by creating a new subsection (c),
11 33-24-134(a) and (e), 33-24-135(a) and by creating a new
12 subsection (e), 33-24-136(a), 33-24-145(a) and (b),
13 33-24-152(e)(i) and (ii), 33-24-153(a), (b) and by creating
14 new subsections (g) through (r), 33-24-156(b)(i) and
15 33-24-301(f)(intro), (iii), (iv), by creating a new
16 paragraph (v) and (h) are amended to read:

17

18 **33-24-101. Short title; definitions.**

19

20 (b) As used in this act:

21

22 (iv) "Unprofessional conduct" means:

23

1 (A) Dispensing a drug or brand of drug in
2 filling a prescription which differs from that specified by
3 the prescription, without authority of the issuer of the
4 prescription, regarding the patient's name, drug, strength,
5 quantity, directions or number of authorized refills;

6
7 (D) Employing directly or indirectly any
8 student, any unlicensed pharmacy technician or any
9 ~~suspended or~~ unlicensed pharmacist to practice pharmacy
10 unless authorized by ~~law~~ this act;

11
12 **33-24-102. State board of pharmacy; generally.**

13
14 (a) There is created a state board of pharmacy whose
15 duty is to carry out the purposes and to enforce the
16 provisions of this act. The board shall consist of ~~three~~
17 ~~(3)~~ seven (7) voting members consisting of four (4)
18 pharmacists, one (1) physician, one (1) dentist or
19 veterinarian and one (1) member of the public and ~~three (3)~~
20 one (1) ex officio ~~members~~ pharmacy technician, who shall
21 be appointed by the governor, by and with the advice and
22 consent of the senate. Members of the now existing board of
23 pharmacy shall continue in office as voting members as if
24 regularly appointed under this act. Their terms shall

1 expire in accordance with their original appointments and
2 be filled in accordance with the provisions of W.S.
3 28-12-101. ~~The three (3) ex officio members shall be~~
4 ~~respectively: a licensed practicing physician, a licensed~~
5 ~~practicing dentist and a licensed practicing doctor of~~
6 ~~veterinary medicine, who have had at least five (5) years~~
7 ~~of active private practice in the state before their~~
8 ~~appointment.~~ The ex officio ~~members~~ member shall have no
9 vote and shall have no part of licensing procedures or
10 license suspension or revocation actions. ~~The ex officio~~
11 ~~members shall correlate the interprofessional relationships~~
12 ~~in the uses, proposed uses and distribution of drugs~~
13 ~~insofar as the three (3) professions represented have~~
14 ~~direct interest.~~

15

16 **33-24-103. State board of pharmacy; qualifications of**
17 **members; limitation on terms; prohibited affiliations.**

18

19 (a) ~~No person~~ A pharmacist who is currently licensed
20 as provided in this article and actively engaged in the
21 practice of pharmacy in Wyoming shall be eligible to be a
22 voting member of the board of pharmacy ~~who has not~~ if the
23 pharmacist is a United States citizen and resident of
24 Wyoming and at the time of appointment has been legally

1 qualified to practice, and ~~who has not been~~ engaged in the
2 active practice of pharmacy in the state continuously for
3 at least five (5) ~~continuous~~ years. ~~immediately prior to~~
4 ~~membership, who does not at the time of his appointment~~
5 ~~hold a certificate entitling him to practice pharmacy in~~
6 ~~the state, who is not a citizen of the United States and a~~
7 ~~resident of Wyoming, and who does not actively practice~~
8 ~~pharmacy in Wyoming throughout his term.~~

9
10 (b) A dentist, physician or veterinarian who is
11 currently licensed pursuant to chapter 15, 25 or 30 of this
12 title and actively engaged in the applicable licensed
13 practice in Wyoming shall be eligible to be a voting member
14 of the board of pharmacy if the dentist, physician or
15 veterinarian is a United States citizen and resident of
16 Wyoming and at the time of appointment has been licensed to
17 practice and engaged in the active practice of dentistry,
18 medicine or veterinary medicine in this state continuously
19 for at least five (5) years.

20
21 (c) A person shall be eligible for appointment as a
22 voting member of the board representing the public if at
23 the time of appointment the person is a United States
24 citizen and resident of Wyoming and at the time of

1 appointment has resided in this state continuously for at
2 least five (5) years.

3
4 (d) A pharmacy technician licensed pursuant to
5 article 3 of this chapter and actively practicing as a
6 pharmacy technician in Wyoming shall be eligible to be an
7 ex officio member of the board if the person is a United
8 States citizen and a resident of this state and at the time
9 of appointment has been employed as a pharmacy technician
10 in Wyoming continuously for at least five (5) years.

11
12 (e) No member shall be appointed to, or serve, more
13 than two (2) successive terms.

14
15 (f) No member shall be connected with a school or
16 college of pharmacy in a professional or executive
17 capacity.

18
19 (g) The term of any person appointed to the board
20 pursuant to subsections (a) through (d) of this section
21 shall expire immediately if the person no longer meets the
22 eligibility criteria specified in the subsection under
23 which the person was appointed.

**33-24-112. Fees for examinations, reexaminations,
license renewals and registration renewals; late fees.**

(a) The board shall determine each year the fees to be collected for examinations, reexaminations, license renewals and registration renewals based upon annual normal operating expenses, including late fees to be collected for failure to pay a license or renewal fee by the deadline established by the board, provided that:

(iv) ~~Pharmacy~~ Licenses and renewals for manufacturers or distributors of oxygen shall not exceed one hundred dollars (\$100.00); ~~and~~

(v) Late fees for licenses and renewals shall not exceed three hundred dollars (\$300.00); ~~and~~ and

(vi) Drug distributor licenses and renewals shall not exceed one thousand dollars (\$1,000.00).

**33-24-116. Qualifications of applicants for licensure
as a pharmacist by examination.**

1 (a) Any ~~adult, of good moral character and temperate~~
2 ~~habits, who has been graduated and admitted a degree of~~
3 ~~bachelor of science in pharmacy, or equivalent, from a~~
4 ~~college or university accredited by the national~~
5 ~~association of boards of pharmacy or the state board of~~
6 ~~pharmacy, who has served as an intern pharmacist in~~
7 ~~accordance with this act, and except as hereinafter~~
8 ~~provided,~~ person seeking licensure by examination to
9 practice pharmacy in this state may make application in
10 writing to the board. ~~to be examined by it with reference~~
11 ~~to the applicant's qualifications to practice pharmacy.~~
12 ~~Each applicant shall attest to the applicant's~~
13 ~~qualifications under oath and internship service shall be~~
14 ~~substantiated by affidavits of the preceptors.~~ The
15 applicant shall:

16
17 (i) Submit an application in the form and
18 containing information as prescribed by the board;

19
20 (ii) Have attained the age of majority;

21
22 (iii) Be of good moral character;

1 (iv) Have graduated and received the first
2 professional undergraduate degree from a college or school
3 of pharmacy that has been approved by the board or have
4 graduated from a foreign college of pharmacy. Graduates
5 from a foreign college of pharmacy shall have completed a
6 transcript verification program, taken and passed a college
7 of pharmacy equivalency exam and completed a communication
8 ability test as provided in board regulations;

9
10 (v) Have completed an internship or other
11 program that has been approved by the board or demonstrated
12 to the board's satisfaction experience in the practice of
13 pharmacy which meets or exceeds the minimum internship
14 requirements specified in board regulations;

15
16 (vi) Have successfully passed an examination or
17 examinations approved by the board;

18
19 (vii) Pay the fees specified in board
20 regulations for the examination and any related materials;

21
22 ~~(viii) In addition, applicants for a pharmacist~~
23 ~~license under this act shall~~ Provide the board with
24 fingerprints, necessary fees and other information required

1 to perform a criminal history record background check as
2 provided for by W.S. 7-19-201. The board may delay issuing
3 a license pending its receipt of the information from the
4 background check.

5
6 **33-24-122. Revocation or suspension of license and**
7 **registration; letter of admonition; summary suspension;**
8 **administrative penalties; probation; grounds.**

9
10 (a) The license and registration of any pharmacist
11 may be revoked or suspended by the board of pharmacy or the
12 board may issue a letter of admonition, refuse to issue or
13 renew any license or require successful completion of a
14 rehabilitation program or issue a summary suspension for
15 any of the following causes:

16
17 (c) The board may summarily suspend the license of
18 any person holding a pharmacist license without a hearing
19 if the board finds that there is a substantial danger to
20 the public health or safety. The board may meet by
21 telephone to consider summarily suspending a license if a
22 quorum of the board is not available to meet in person
23 under exigent circumstances. Summary suspension shall
24 occur if the board determines that continued practice by

1 the licensee constitutes a substantial danger to the public
2 health or safety. Proceedings for a disciplinary hearing
3 shall be instituted simultaneously with the summary
4 suspension. If the board does not commence the
5 disciplinary hearing within thirty (30) days of the
6 suspension order, the suspension shall be automatically
7 vacated. At the written request of the suspended licensee
8 in order to prepare for a hearing, the thirty (30) day
9 period may be extended and the temporary suspension
10 continued for an additional period not to exceed thirty
11 (30) days.

12
13 **33-24-134. Reciprocity.**

14
15 (a) The board, in its sole discretion, may ~~register~~
16 license as a pharmacist in this state without examination,
17 any ~~citizen~~ person who proposes to practice pharmacy in
18 this state who is duly ~~registered~~ licensed by examination
19 in some other state. ~~., provided such person shall appear~~
20 ~~personally before the board and answer reasonable questions~~
21 ~~relating to his professional background and achievements,~~
22 ~~shall pay the application fee therefor, and shall produce~~
23 ~~evidence satisfactory to the board of having had the~~
24 ~~required secondary and professional education, training and~~

1 ~~internship, and is possessed of good character and morals~~
2 ~~and temperate habits demanded of other applicants for~~
3 ~~registration under this act.~~ An applicant for a license
4 pursuant to this section shall:

5
6 (i) Submit a written application in the form and
7 containing information as prescribed by the board;

8
9 (ii) Meet the qualifications specified in W.S.
10 33-24-116(a)(ii) through (iv);

11
12 (iii) Have engaged in the practice of pharmacy
13 for a period of at least one (1) year or have met the
14 requirements of W.S. 33-24-116(a)(v) within one (1) year
15 immediately preceding the date of application;

16
17 (iv) Have been a licensed pharmacist by
18 examination in another state;

19
20 (v) Submit evidence that the applicant's license
21 to practice pharmacy in any other state has not been
22 suspended, revoked or otherwise restricted for any reason
23 other than nonrenewal or the failure to obtain the required
24 continuing education credits;

1

2

3

(vi) Pay the fees specified in board regulations for licensure by reciprocity;

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(e) The board may issue a temporary pharmacist license, provided the applicant ~~has submitted to the board an official application including payment of fees for registration by reciprocity and~~ has met those requirements in paragraphs (i) through (vii) of subsection (a) of this section as well as other requirements established by the board. A temporary pharmacist license shall not be effective for a period of more than six (6) months from the date of issuance and shall not be renewed. The board may

1 charge a fee not to exceed twenty-five dollars (\$25.00) for
2 issuance of a temporary pharmacist license. A pharmacist
3 with a temporary license may be disciplined as provided by
4 W.S. 33-24-122 and 33-24-123.

5
6 **33-24-135. Internship.**

7
8 (a) The internship or practical experience
9 requirement for registration as a pharmacist in this state
10 shall consist of no more than two thousand (2,000) and no
11 less than one thousand two hundred (1,200) hours experience
12 in a pharmacy or related setting. Hours shall be
13 accumulated after the completion of the first professional
14 year in an approved college or school of pharmacy or, for
15 those applicants who have graduated from a foreign college
16 of pharmacy, completed a transcript verification program,
17 taken and passed a college of pharmacy equivalency exam
18 program and completed a communication ability test as
19 provided in board regulations. Hours of internship
20 experience accumulated may be determined by the board.

21
22 (e) The board may issue a letter of admonition or
23 suspend or revoke a pharmacy intern's license for any:
24

1 (i) Willful violation of any provision of this
2 chapter or the Wyoming Controlled Substances Act of 1971;

3
4 (ii) Willful violation of any rule or regulation
5 promulgated pursuant to this chapter or the Wyoming
6 Controlled Substances Act of 1971;

7
8 (iii) Conviction of a felony or misdemeanor
9 involving moral turpitude;

10
11 (iv) Action which threatens the public health,
12 safety or welfare; or

13
14 (v) Knowing submission of false or misleading
15 information to the board in the application for an initial
16 or renewal license.

17
18 **33-24-136. Filing written memorandum of prescription;**
19 **labels generally; prescription defined; counseling and**
20 **patient profiles.**

21
22 (a) Every person who prepares, compounds, processes,
23 packages or repackages, dispenses, fills or sells or offers
24 for sale, at retail or in connection with operation of a

1 health care facility, any prescription, shall place the
2 written memorandum of the prescription in a separate file
3 marked and kept for that purpose, and shall affix a label
4 to the container in which the prescribed substance is
5 dispensed bearing the name and address of the pharmacy and
6 ~~registration number~~ initials of the dispensing pharmacist,
7 or of the preceptor if the dispenser is an intern, the date
8 on which the prescription is filed in the pharmacy's files,
9 the name of the person who prescribed the substance, the
10 name of the patient or customer for whom the prescription
11 was made and directions for use by the patient as directed
12 on the prescription by the prescriber.

13

14 **33-24-145. Powers and duties of agents, inspectors**
15 **and board members.**

16

17 (a) The board, its agents and inspectors may
18 specially, but not exclusively, examine and inspect all
19 activities in this state undertaken in compliance with W.S.
20 33-24-101 through ~~33-24-203~~ 33-24-301 which appear to be
21 contrary to or in violation of W.S. 33-24-101 through
22 ~~33-24-203~~ 33-24-301, to procure enforcement and to check
23 for violations and provide for enforcement of related
24 federal laws and regulations. The inspectors may also

1 determine if practitioners' records are adequately kept in
2 a manner reflecting professional responsibility and may
3 provide legislative recommendations if records are not
4 found to be adequately maintained.

5

6 (b) The board, its agents and inspectors shall
7 examine and inspect drug manufacturers, distributors and
8 wholesalers, licensed pursuant to W.S. 33-24-153. ~~The~~
9 ~~examinations and inspections shall be conducted for the~~
10 ~~purposes and requirements of the Prescription Drug~~
11 ~~Marketing Act of 1987, 21 U.S.C. 353.~~

12

13 **33-24-152. Nonresident pharmacy registration;**
14 **requirements for registration; fees; renewal; denial,**
15 **letter of admonition, administrative penalty, revocation or**
16 **suspension; advertising.**

17

18 (e) The board may deny, suspend, revoke or refuse to
19 renew a license issued under this section, may issue a
20 letter of admonition to a nonresident pharmacy licensee and
21 may assess an administrative penalty, not to exceed two
22 thousand dollars (\$2,000.00) per violation, against a
23 nonresident pharmacy licensee on any of the following
24 grounds:

1
2 (i) Failure to comply with any requirement of
3 the pharmacy practice act of the state of domicile or the
4 Wyoming Controlled Substances Act. If the provisions of
5 this act are more stringent than the corresponding law of
6 the state of domicile, the board's executive director
7 before any adverse action pursuant to this paragraph shall
8 provide notice of the noncompliance to the nonresident
9 pharmacy and afford a reasonable opportunity to cure the
10 noncompliance;

11
12 (ii) Failure to comply with rules and
13 regulations of the board or regulatory body of the
14 jurisdiction in which the pharmacy is located. If the
15 rules and regulations of the board are more stringent than
16 those of the regulatory body of the state in which the
17 pharmacy is located, the board's executive director before
18 any adverse action pursuant to this paragraph shall provide
19 notice of the noncompliance to the nonresident pharmacy and
20 afford a reasonable opportunity to cure the noncompliance;

21
22 **33-24-153. Manufacturer or wholesaler registration;**
23 **requirements for registration; bonds or other security;**
24 **fees; renewal; denial, revocation or suspension; record**

1 **keeping; summary orders; administrative penalties;**
2 **definitions.**

3
4 (a) Every manufacturer, distributor, wholesaler or
5 pharmacy who sells or distributes dangerous drugs in this
6 state shall obtain a drug distributor's license for each
7 location from the board. This section shall not apply to
8 ~~commercial operators~~ resident pharmacies registered under
9 W.S. 33-24-113, nonresident pharmacies registered under
10 W.S. 33-24-152 or to individuals practicing medicine as
11 defined by W.S. 33-26-102(a)(xi)(B) and (E).

12
13 (b) Applications for a drug distributor's license
14 under this section shall be made on a form furnished by the
15 board. ~~The board may require information necessary to~~
16 ~~carry out the purposes of this section.~~ Applicants for
17 licensure under this section shall provide the board with
18 fingerprints, necessary fees and other information required
19 to perform a criminal history record background check as
20 provided for by W.S. 7-19-201 for the designated
21 representative for each wholesale drug distributor site.

22
23 (g) The board shall require every drug distributor
24 applying for a license to submit a bond in the amount of

1 one hundred thousand dollars (\$100,000.00), or other
2 security acceptable to the board such as an irrevocable
3 letter of credit or deposit in a trust account or financial
4 institution, payable to a fund established by the board
5 pursuant to paragraph (h) of this section. The purpose of
6 the bond or other security shall be to secure payment of
7 any fines or penalties imposed by the board and any fees
8 and costs incurred by the board regarding the drug
9 distributor's license which are authorized under state law
10 and which remain unpaid thirty (30) days after liability
11 for the payment is final. The board shall release the bond
12 or security one (1) year after the distributor's license
13 ceases to be valid. The bond or security shall cover all
14 facilities operated by the applicant and licensed by the
15 board. The board may waive the requirement of a bond or
16 other security if:

17
18 (i) The drug distributor has previously obtained
19 a comparable bond or other security for the purpose of
20 licensure in another state where the wholesaler possesses a
21 valid license in good standing; or

22
23 (ii) The drug distributor is a publicly held
24 company.

1

2 (h) The board shall establish a fund, separate from
3 its other accounts, for the deposit of amounts submitted in
4 lieu of a bond pursuant to subsection (g) of this section.

5

6 (j) The board shall require each person engaged in
7 wholesale distribution of dangerous drugs to establish and
8 maintain inventories and records of all transactions
9 regarding the receipt and distribution or other disposition
10 of dangerous drugs. The records shall include pedigrees
11 for all dangerous drugs distributed outside the normal
12 distribution channel as established by board regulations.

13

14 (k) The board shall issue an order to cease
15 distribution of a prescription drug if the board finds that
16 there is a reasonable probability that:

17

18 (i) A drug distributor, other than a
19 manufacturer, has:

20

21 (A) Violated a provision of this section;
22 or

23

1 (B) Falsified a pedigree or sold,
2 distributed, transferred, manufactured, repackaged, handled
3 or held a counterfeit prescription drug intended for human
4 or animal use.

5
6 (ii) The dangerous drug at issue as a result of
7 a violation in paragraph (k)(i)(B) of this section could
8 cause serious adverse health consequences or death; and

9
10 (iii) Other procedures would result in
11 unreasonable delay in responding to the dangers posed by
12 the dangerous drug at issue.

13
14 (m) An order issued by the board pursuant to
15 subsection (k) of this section shall provide the person
16 subject to the order with an opportunity for an informal
17 hearing, to be held not later than ten (10) working days
18 after the date of the issuance of the order, on the actions
19 required by the order. If, after providing an opportunity
20 for a hearing, the board determines that inadequate grounds
21 exist to support the actions required by the order, the
22 board shall vacate the order.

1 (n) The board may deny, suspend, revoke or refuse to
2 renew a license issued under this section, may issue a
3 letter of admonition and may assess an administrative
4 penalty not to exceed those penalties established in
5 paragraph (o) of this section for any of the following
6 acts:

7
8 (i) Failure to obtain a license in accordance
9 with this section or operating without a valid license when
10 a license is required;

11
12 (ii) The sale, distribution or transfer of a
13 dangerous drug to a person who is not authorized to receive
14 the dangerous drug under the law of the jurisdiction in
15 which the person receives the dangerous drug;

16
17 (iii) Failure to obtain, pass or authenticate a
18 pedigree as required by this section or board rules;

19
20 (iv) Providing the board with false or
21 fraudulent records or making false or fraudulent statements
22 regarding the provisions of this section or board rules;

23

1 (v) Obtaining or attempting to obtain a
2 dangerous drug by fraud, deceit or misrepresentation, or
3 engaging in fraud or misrepresentation in the distribution
4 of a prescription drug;

5
6 (vi) Except for the wholesale distribution by
7 manufacturers of a dangerous drug that has been delivered
8 into commerce pursuant to an application approved by the
9 United States food and drug administration, the
10 adulteration, misbranding or counterfeiting of any
11 prescription drug;

12
13 (vii) The receipt of any prescription drug that
14 is adulterated, misbranded, stolen, obtained by fraud or
15 deceit, counterfeit or suspected of being counterfeit, or
16 the delivery or proffered delivery of such drug whether for
17 pay or otherwise; and

18
19 (viii) The adulteration, mutilation,
20 destruction, obliteration or removal of all or any part of
21 the labeling of a prescription drug or the commission of
22 any other act with respect to a dangerous drug that results
23 in the dangerous drug being misbranded.

24

1 (o) The board may assess an administrative penalty
2 for a violation of subsection (n) of this section as
3 follows:

4
5 (i) If a person unknowingly engages in the
6 wholesale distribution of dangerous drugs and acts in
7 violation of subsection (n) of this section, the person may
8 be assessed an administrative penalty not to exceed fifty
9 thousand dollars (\$50,000.00);

10
11 (ii) If a person knowingly engages in wholesale
12 distribution of dangerous drugs in violation of subsection
13 (n) of this section, the person may be assessed an
14 administrative penalty not to exceed five hundred thousand
15 dollars (\$500,000.00).

16
17 (p) The board is authorized to contract with a
18 private person or entity to inspect and accredit drug
19 distributors. Any proprietary information obtained during
20 the accreditation process shall remain confidential and
21 privileged. The board shall provide by rule and regulation
22 for the administrative review of any decision denying
23 accreditation.

24

1 (q) The board may license by reciprocity a drug
2 distributor that is licensed in another state if:

3
4 (i) The requirements of the distributor's
5 domiciliary state are determined by the board to be
6 substantially equivalent to the requirements of this state
7 for licensing of drug distributors; or

8
9 (ii) The applicant is accredited by a third
10 party approved by the board.

11
12 (r) For purposes of this section:

13
14 (i) "Designated representative" means an
15 individual designated by a wholesale drug distributor and
16 who is actively involved in and aware of the actual daily
17 operation of the wholesale drug distributor at the
18 wholesaler's licensed location;

19
20 (ii) "Pedigree" means a document or electronic
21 file containing recorded information regarding each
22 distribution of any given prescription drug within the
23 distribution channel.

1 **33-24-156. Telepharmacy practice authorized.**

2

3 (b) Telepharmacies shall include the following
4 minimum features:

5

6 (i) Storage, security and dispensing of
7 prescription drugs in unit of issue packages or through a
8 mechanical system which dispenses tablets or capsules from
9 an enclosed and lockable cabinet directly into a
10 prescription vial and prints and applies a prescription
11 label to the vial;

12

13 **33-24-301. Pharmacy technicians; licensing;**
14 **definitions; revocation or suspension of license; letter of**
15 **admonition; information required for background checks.**

16

17 (f) The board may issue a letter of admonition or
18 suspend or revoke a pharmacy technician's license or the
19 board may assess an administrative penalty against that
20 person not to exceed one thousand dollars (\$1,000.00) for
21 each violation for any:

22

23 (iii) Action which threatens the public health,
24 safety or welfare; ~~or~~

1

2 (iv) Conviction of a felony or misdemeanor
3 involving moral turpitude; ~~or~~ or

4

5 (v) Knowing submission of false or misleading
6 information to the board in the application for a license
7 or renewal of a license.

8

9 (h) An applicant for a pharmacy technician license or
10 a pharmacy technician-in-training permit shall provide the
11 board with fingerprints, fees and other information
12 necessary for a criminal history record background check as
13 authorized by W.S. 7-19-201. The board may delay issuance
14 of a license or permit pending the receipt of the
15 information from the applicant's background check.

16

17 **Section 2.** W.S. 33-24-134(b) through (d) and
18 33-24-153(d) are repealed.

19

20 **Section 3.** This act is effective July 1, 2007.

21

22 (END)