

SENATE FILE NO. SF0099

Wyoming Pharmacy Act amendments.

Sponsored by: Senator(s) Bebout

A BILL

for

1 AN ACT relating to professions and occupations; amending
2 membership and duties of the state board of pharmacy;
3 amending the rate of compensation received by board members
4 as specified; amending requirements of the Wyoming Pharmacy
5 Act as specified; providing for electronic pharmacist
6 examinations; allowing for electronic memorandum for
7 prescription records; repealing archaic provisions related
8 to the sale of poison by pharmacists; and providing for an
9 effective date.

10

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

12

13 **Section 1.** W.S. 33-24-102(a), 33-24-103(d),
14 33-24-108(b), 33-24-117, 33-24-118, 33-24-120,
15 33-24-135(d), 33-24-136(a) and (b) and 33-24-140 are
16 amended to read:

1

2 **33-24-102. State board of pharmacy; generally.**

3

4 (a) There is created a state board of pharmacy whose
5 duty is to carry out the purposes and to enforce the
6 provisions of this act. The board shall consist of ~~seven~~
7 ~~(7)~~ nine (9) voting members consisting of ~~four (4)~~ five (5)
8 pharmacists, one (1) physician, one (1) dentist or
9 veterinarian, ~~and~~ one (1) member of the public and one (1)
10 ~~ex officio~~ pharmacy technician, who shall be appointed by
11 the governor, by and with the advice and consent of the
12 senate. ~~Members of the now existing board of pharmacy shall~~
13 ~~continue in office as voting members as if regularly~~
14 ~~appointed under this act. Their terms shall expire in~~
15 ~~accordance with their original appointments and be filled~~
16 ~~in accordance with the provisions of W.S. 28-12-101. The ex~~
17 ~~officio member shall have no vote and shall have no part of~~
18 ~~licensing procedures or license suspension or revocation~~
19 ~~actions.~~

20

21 **33-24-103. State board of pharmacy; qualifications of**
22 **members; limitation on terms; prohibited affiliations.**

23

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

9
10 **33-24-108. State board of pharmacy; creation of**
11 **indebtedness; compensation of members; employment and**
12 **compensation of staff; legal counsel.**

13
14 (b) Out of the fees collected and funds assessed by
15 the board, each of the members of the board shall receive
16 ~~compensation at the rate of fifty dollars (\$50.00)~~ salary
17 in the same manner and amount as members of the Wyoming
18 legislature for each full or partial day actually engaged
19 in the duties of his office and shall be reimbursed for per
20 diem and mileage as provided in W.S. 33-1-302(a)(vii). Per
21 diem and mileage expenses shall be paid from the board's
22 account.

1 **33-24-117. Examination required.**

2

3 The applicant shall pass ~~a written and practical~~ an
4 examination, which has been adopted by the board, in a
5 manner satisfactory to a reasonable board. The ~~written~~
6 examination shall be, so far as the board shall deem
7 practicable, on such subjects as are prescribed in the
8 curriculum and taught in the accredited colleges and
9 universities which offer courses of study leading to the
10 degree above described and required, on the ethical and
11 practical aspects of the practice of pharmacy which will
12 confront a successful applicant in the practice of the
13 profession in Wyoming, and on the laws and rules relating
14 thereto. The ~~practical~~ examination shall be ~~held at a place~~
15 ~~designated by the board~~ offered in the manner prescribed by
16 ~~it~~ the board.

17

18 **33-24-118. Registration of applicant; issuance of**
19 **license; contents of license or certificate of**
20 **registration.**

21

22 Upon an applicant passing the ~~written and practical~~
23 ~~examinations~~ examination the board shall cause his name and

1 residence to be registered in a ~~book~~record kept by it for
2 that purpose; and if the application is complete and there
3 are no known grounds for denial of the license requested,
4 the board shall issue to the applicant a license as
5 evidence of his eligibility to practice pharmacy. The
6 license, or certificate of registration shall contain,
7 along with the other advisory information, the name of the
8 person to whom issued, the date of issuance, and a special
9 registration number designed by the board for exclusive
10 identification of the registrant.

11
12 **33-24-120. Records as prima facie evidence.**

13
14 The board shall keep a record ~~book~~—in which shall be
15 recorded the names and addresses and pertinent information
16 of all applicants and such other matters as shall afford a
17 full record of its activities; the records or transcripts
18 therefrom, duly certified by the secretary of the board,
19 ~~with the seal of the board attached,~~ shall be prima facie
20 evidence before all the courts of this state of the entries
21 therein contained.

22
23 **33-24-135. Internship.**

1

2 (d) Each prospective intern shall be licensed by the
3 board upon payment of a fee and shall register ~~in writing~~
4 ~~immediately upon beginning any period of service by~~
5 application giving the intern's name and address ~~, address~~
6 ~~of the pharmacy at which service is undertaken and the~~
7 ~~name, address and registration number of each preceptor at~~
8 ~~that place. Upon terminating each period of service, the~~
9 ~~intern shall immediately notify the board in writing. The~~
10 ~~first notice of undertaking internship shall include a~~
11 ~~complete statement of the intern's qualifications therefor,~~
12 ~~attested to under oath by the intern. Forms therefor will~~
13 ~~be provided by the board.~~ Under its regulations the board
14 may provide for consideration and acceptance of internship
15 served in other jurisdictions.

16

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

20

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

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

13

14 (b) "Prescription" means an order for medication by a
15 person licensed and authorized by the state board of
16 medicine, the state board of dental examiners, the state
17 board of nursing, the state board of registration in
18 podiatry, the state board of examiners in optometry or the
19 state board of veterinary medicine which is dispensed to or
20 for an ultimate user, but does not include an order for
21 medication which is dispensed for immediate administration
22 to the ultimate user. Each prescription ~~memorandum~~record
23 shall be maintained and ~~open~~available for inspection by

1 agents of the board for a period of two (2) years from the
2 date it is filed.

3

4 **33-24-140. Code of ethics.**

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6 The board shall propose, and with the advice of the
7 practicing licensees in this state shall adopt and from
8 time to time amend or revise, a comprehensive code of
9 ethics for the profession of pharmacy. ~~the review of which~~
10 ~~shall become obligatory on all applicants for license or~~
11 ~~renewal thereof.~~

12

13 **Section 2.** W.S. 33-24-137 and 33-24-138 are repealed.

14

15 **Section 3.** This act is effective July 1, 2015.

16

17 (END)