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## TEMPORARY ADMINISTRATIVE ORDER INCLUDING STATEMENT OF NEED & JUSTIFICATION

**BP 4-2021**  
CHAPTER 855  
BOARD OF PHARMACY

**FILED**

02/13/2021 11:03 AM

ARCHIVES DIVISION

SECRETARY OF STATE

& LEGISLATIVE COUNSEL

FILING CAPTION: Temporary rule to implement amended late fee expiration dates for licensees and registrants

EFFECTIVE DATE: 02/13/2021 THROUGH 08/11/2021

AGENCY APPROVED DATE: 02/11/2021

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Filed By:

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### NEED FOR THE RULE(S):

To align late fees for specific Oregon licensees and registrants to match the expiration date.

### JUSTIFICATION OF TEMPORARY FILING:

Amendments need to take effect immediately in order to positively impact licensees and registrants for upcoming licensing renewal cycles that occur prior to the next rulemaking hearing. Delaying implementation would negatively impact costs to licensees/registrants.

### DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:

None

### RULES:

855-110-0005, 855-110-0007

AMEND: 855-110-0005

RULE SUMMARY: Upgrading the agency licensing software eliminated the need for manual processing of license/registration renewals. The late fees for specific license/registration types can be amended to match the expiration date.

### CHANGES TO RULE:

855-110-0005

Licensing Fees ¶

(1) Pharmacist license examination (NAPLEX) and re-examination fee - \$50.¶

(2) Pharmacist jurisprudence (MPJE) re-examination fee - \$25.¶

(3) Pharmacist licensing by reciprocity fee - \$250.¶

(4) Pharmacist licensing by score transfer fee - \$250.¶

(5) Intern license fee. Expires November 30 every two years - \$100.¶

(6) Pharmacist:¶

(a) Biennial license fee. Expires June 30 each odd numbered year. The biennial license fee is - \$250. ~~Delinquent Late renewal fee (postmark received after May June 310) - \$50.~~¶

(b) Electronic Prescription Monitoring Fund fee. Due by June 30 biennially- \$50. (This is a mandatory fee, required by ORS 431.972 that must be paid with the pharmacist license renewal fee).¶

(c) Workforce Data Collection fee. Due by June 30 biennially - \$4. (This is a mandatory fee as required by OAR 409-026-0130 that must be paid with the Pharmacist license renewal fee.)¶

(7) Certification of approved provider of continuing education course fee, none at this time.¶

(8) Pharmacy Technician license fee - \$100.¶

(9) Certified Oregon Pharmacy Technician:¶

(a) Biennial license fee. Expires June 30 each even numbered year - \$100. ~~Delinquent Late renewal fee (postmark received after May June 310) - \$20.~~¶

(b) Workforce Data Collection fee. Due by June 30 biennially - \$4. (This is a mandatory fee as required by OAR 409-026-0130 that must be paid with the Certified Oregon Pharmacy Technician license renewal fee.)

Statutory/Other Authority: ORS 689.205, ORS 291.055, ORS 183.705

Statutes/Other Implemented: ORS 689.135, 431.972, 676.41~~ORS 676.410~~, ORS 431.880

RULE SUMMARY: Upgrading the agency licensing software eliminated the need for manual processing of license/registration renewals. The late fees for specific license/registration types can be amended to match the expiration date.

CHANGES TO RULE:

855-110-0007

Fees for Registration, Renewal, and Reinspection of Drug Outlets ¶

- (1) Community Health Clinic. Expires March 31 annually - \$100. ~~Delinquent~~Late renewal fee (~~postmark~~received after ~~February 28~~March 31) - \$25. ¶
- (2) Drug Distribution Agent. Expires September 30 annually - \$400. ~~Delinquent~~Late renewal fee (~~postmark~~received after ~~August~~September 31) - \$100. ¶
- (3) Drug Room (including correctional facility). Expires March 31 annually - \$100. ~~Delinquent~~Late renewal fee (~~postmark~~received after ~~February 28~~March 31) - \$75. ¶
- (4) Manufacturers (including Manufacturer Class I, Manufacturer Class II and Manufacturer Class III). Expires September 30 annually - \$525. ~~Delinquent~~Late renewal fee (~~postmark~~received after ~~August~~September 31) - \$100. ¶
- (5) Medical Device, Equipment & Gas Class C. Expires January 31 annually - \$75. ~~Delinquent~~Late renewal fee (~~postmark~~received after ~~December~~January 31) - \$25. ¶
- (6) Nonprescription Class A. Expires January 31 annually - \$75. ~~Delinquent~~Late renewal fee (~~postmark~~received after ~~December~~January 31) - \$25. ¶
- (7) Nonprescription Class B. Expires January 31 annually - \$75. ~~Delinquent~~Late renewal fee (~~postmark~~received after ~~December~~January 31) - \$25. ¶
- (8) Nonprescription Class D. Expires January 31 annually - \$100. ~~Delinquent~~Late renewal fee (~~postmark~~received after ~~December~~January 31) - \$25. ¶
- (9) Prophylactic and/or Contraceptive Wholesaler and/or Manufacturer - \$50. Expires December 31 annually. ¶
- (10) Re-inspection fee - \$100. Applies to any re-inspection of a drug outlet occasioned to verify corrections of violations found in an initial inspection. ¶
- (11) Retail, Institutional, or Consulting/"Drugless" Pharmacy Drug Outlet. Expires March 31 annually - \$225. ~~Delinquent~~Late renewal fee (~~postmark~~received after ~~February 28~~March 31) - \$75. ¶
- (12) Wholesalers (including Wholesaler Class I, Wholesaler Class II and Wholesaler Class III). Expires September 30 annually - \$525. ~~Delinquent~~Late renewal fee (~~postmark~~received after ~~August~~September 31) - \$100. ¶
- (13) Remote Dispensing Machine or Remote Distribution Facility. Expires March 31 annually - \$120. Due by ~~February 28~~March 31 annually. ¶
- (14) Charitable Pharmacy. Expires March 31 annually - \$75. ~~Delinquent~~Late renewal fee (~~postmark~~received after ~~February 28~~March 31) - \$25. ¶
- (15) Home Dialysis. Expires March 31 annually - \$225. ~~Delinquent~~Late renewal fee (~~postmark~~received after ~~February 28~~March 31) - \$75. ¶
- (16) Supervising Physician Dispensing Outlet. Expires March 31 annually - \$175. ~~Delinquent~~Late renewal fee (~~postmark~~received after ~~February 28~~March 31) - \$75. ¶
- (17) Dispensing Practitioner Drug Outlet. Expires March 31 annually - \$100. ~~Delinquent~~Late renewal fee (~~postmark~~received after ~~February 28~~March 31) - \$25.

Statutory/Other Authority: ORS 689.205, ORS 291.055

Statutes/Other Implemented: ORS 689.135, ORS 689.774, ORS 689.305