



## PERMANENT ADMINISTRATIVE ORDER

### BP 38-2021

CHAPTER 855  
BOARD OF PHARMACY

**FILED**

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FILING CAPTION: Addresses fee changes pursuant to 2021 HB 2074 and 2021 HB 3036; Procedural rule review

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#### RULES:

855-060-0001, 855-110-0003, 855-110-0005, 855-110-0010

AMEND: 855-060-0001

NOTICE FILED DATE: 10/25/2021

RULE SUMMARY: Revisions to Division 060 are procedural rule review to appropriately reference and reflect current regulations and amend outdated regulations in alignment with the board's 2020-2024 strategic plan.

#### CHANGES TO RULE:

855-060-0001

Application ¶

No place of manufacturing, wholesaling or repackaging of drugs or medicines, as defined in ORS 689.005(20), (35), and (36) ~~shall~~ may be conducted or operated until it has been registered by the State Board of Pharmacy, ~~except that compounding or repackaging, as a part of a Shared Pharmacy Services agreement as defined in OAR 855-006-0005(20), does not constitute manufacturing. Manufacturing registration expires September 30th annually.~~ ¶

(1) All applications for registration of a new or relocated manufacturer shall be accompanied by the required fees as set forth in OAR 855-110-0007(3). ¶

(2) Application ~~shall~~ must specify the location of the manufacturer premises. When the applicant is not the owner of the business, the application shall indicate the owner and the applicant's affiliation with the owner; ¶

(a) If the owner is a partnership or other multiple owner, the names of the partners or person holding the five largest interests shall be indicated on the application. ¶

(b) If the owner is a corporation, the name filed ~~shall~~ must be the same as filed with the Corporation Commissioner. The name of the corporation, the names of the corporation officers and the names of the stockholders who own the five largest interests ~~shall~~ must be indicated on the application. ¶

(c) Upon request by the ~~B~~board, the applicant ~~shall~~ must furnish such information as required by the ~~B~~board regarding the partners, stockholders, or other persons not named in the application. ¶

(3) All registration renewal applications ~~shall~~ must be accompanied by the annual fee and contain the same information required in subsection (2)(a), (b), and (c) of this rule. ¶

(4) A change of ownership or location requires a new application, fee and registration within 15 days. ¶

(5) The registration certificate is issued to a person or firm and is non-transferable. Additions or deletions of a partner/partners ~~shall~~ must be considered as a change of ownership. ¶

(6) Manufacturer registration expires September 30th annually. The registration cannot be prorated.

Statutory/Other Authority: ORS 689.205

Statutes/Other Implemented: ORS 689.155, ORS 689.305, ORS 689.315, ORS 689.325

AMEND: 855-110-0003

NOTICE FILED DATE: 10/25/2021

RULE SUMMARY: Amends and repeals outdated regulations in alignment with the board's 2020-2024 strategic plan.

CHANGES TO RULE:

855-110-0003

General ¶

(1) All fees paid under these rules are non-refundable.¶

(2) Fees cannot be prorated.¶

(3) Fees for initial licensure as a Pharmacist or Certified Oregon Pharmacy Technician may be reduced to one half of a biennial rate, if the application is received ~~or the mailing date of the application is postmarked~~ within 180 days of expiration.¶

(4) A ~~delinquent~~late fee must be paid:¶

~~(a) When an~~ when a renewal application is ~~postmark~~received after the date specified in these rules; or¶

~~(b) When the Board requests additional information from an applicant and this information is not provided within 30 days.~~¶

~~(5) A delinquent fee may be assessed when an application is submitted incomplete and the Board requests the missing information.~~

Statutory/Other Authority: ORS 689.205

Statutes/Other Implemented: ORS 689.135

AMEND: 855-110-0005

NOTICE FILED DATE: 10/25/2021

RULE SUMMARY: Repeals Pharmacist license (NAPLEX) re-examination fee; Increases Pharmacist licensing by reciprocity fee of \$25 to \$100. Decreases Pharmacist licensing by score transfer fee of \$250 to \$50. Incorporates annual PDMP fee increase of \$25 to \$35 set forth in 2021 HB 2074. Appropriately references current regulations in alignment with the board's 2020-2024 strategic plan.

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 - ~~\$25~~100. ¶¶
  - (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. Late renewal fee (received after June 30) - \$50.¶¶
    - (b) Electronic Prescription Monitoring Fund fee. Due by June 30 biennially - ~~\$570~~. (This is a mandatory fee, required by ORS 431.972A.880 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. Late renewal fee (received after June 30) - \$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, ORS 676.410, ORS 431A.880

AMEND: 855-110-0010

NOTICE FILED DATE: 10/25/2021

RULE SUMMARY: Appropriately references and reflects current regulations, amends and repeals outdated regulations in alignment with the board's 2020-2024 strategic plan.

CHANGES TO RULE:

855-110-0010

Fees for Registration for Controlled Substances ~~under ORS 475.095~~ ¶

- (1) Animal Euthanasia controlled substance registration fee - \$75 annually. ¶
- (2) Drug Distribution Agent controlled substance registration fee - \$100 annually. ¶
- (3) Drug Room (including ~~e~~Correctional ~~f~~Facility) controlled substance registration fee - \$100 annually. ¶
- (4) Manufacturer controlled substance registration fee - \$100 annually. ¶
- (5) Retail or Institutional Drug Outlet controlled substance registration fee - \$100 annually. ¶
- (6) Schedule II Precursor registration fee - \$75 annually. ¶
- (7) Wholesaler controlled substance registration fee - \$100 annually. ¶
- (8) Remote Distribution Facility controlled substance registration fee - \$100 annually.

Statutory/Other Authority: ORS 689.205, ORS 291.055, ORS 475.095

Statutes/Other Implemented: ORS 689.135