

OFFICE OF THE SECRETARY OF STATE
TOBIAS READ
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MICHAEL KAPLAN
DEPUTY SECRETARY OF STATE



ARCHIVES DIVISION
STEPHANIE CLARK
DIRECTOR

800 SUMMER STREET NE
SALEM, OR 97310
503-373-0701

TEMPORARY ADMINISTRATIVE ORDER
INCLUDING STATEMENT OF NEED & JUSTIFICATION

BP 4-2025
CHAPTER 855
BOARD OF PHARMACY

FILED

07/16/2025 10:20 AM
ARCHIVES DIVISION
SECRETARY OF STATE
& LEGISLATIVE COUNSEL

FILING CAPTION: Licensee and Registrant Fee Increase

EFFECTIVE DATE: 07/16/2025 THROUGH 01/11/2026

AGENCY APPROVED DATE: 07/16/2025

CONTACT: Rachel Melvin
971-673-0001
pharmacy.rulemaking@bop.oregon.gov

800 NE Oregon St., Suite 150
Portland, OR 97232

Filed By:
Rachel Melvin
Rules Coordinator

NEED FOR THE RULE(S):

Implements fee increases for Licensees and Registrants included in the Oregon Board of Pharmacy Legislatively Approved Budget for 2025-27.

JUSTIFICATION OF TEMPORARY FILING:

As part of the Board's biennial budgeting process, required by statute, the Board determined it was facing a budgetary shortfall, largely because the Board had not increased fees in any substantive measure since 2011. In response, the Board sought from the legislature the ability to increase fees by 40% for all licensees through the legislative fee increase process, HB 5028 2025. HB 5028 was approved by the legislature, signed by the Governor and became effective on 7/1/2025 allowing the Board to increase fees by 40% for all licensees as of 7/1/2025. Due to the budget shortfall, in order for the Board to continue operations as normal, the Board needs to adopt a temporary rule to allow the agency to immediately increase the licensing fees as forecasted and delineated out in the adoption process of HB 5028. Failure to adopt the fee increases in a temporary rule would impair the Board's ability to operate and protect the public.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:

HB 5028 OBOP DAS CFO Presentation

https://www.oregon.gov/pharmacy/Documents/HB5028_OBOP_DAS_CFO_Presentation_2.2025_289927.pdf

HB 5028 OBOP - Agency Presentation

https://www.oregon.gov/pharmacy/Documents/HB5028_OBOP_Agency_Presentation_289925.pdf

HB 5028 OBOP - Agency Reference Materials

https://www.oregon.gov/pharmacy/Documents/HB5028_OBOP_Agency_Reference_Materials_2.2025_289926.pdf

2025 HB 5028 - Introduced https://www.oregon.gov/pharmacy/Documents/Introduced_2025_HB5028.pdf

2025 HB 5028 - Enrolled

<https://olis.oregonlegislature.gov/liz/2025R1/Downloads/MeasureDocument/HB5028/Enrolled>

2025-27 Agency Request Budget https://www.oregon.gov/pharmacy/Documents/85500-Pharmacy_ARB_2025_2027.pdf

2025-27 Governor's Budget https://www.oregon.gov/pharmacy/Documents/OBOP_2025-

RULES:

855-110-0005, 855-110-0006, 855-110-0007, 855-110-0010

AMEND: 855-110-0005

RULE SUMMARY: Increases licensing fees by 40% for Pharmacist, Intern, Certified Oregon Pharmacy Technician and Pharmacy Technician to address the lack of operational resources to fund the agency.

CHANGES TO RULE:

855-110-0005

Licensing Fees ¶¶

(1) Pharmacist initial license NAPLEX examination (~~NAPLEX~~) fee - ~~\$50.¶¶~~

~~(2) Pharmacist jurisprudence (MPJE) re-examination board processing fee - \$250.¶¶~~

~~(32) Pharmacist licensing by reciprocity fee - \$100. ¶¶~~

~~(43) Pharmacist licensing by score transfer fee - \$50. ¶¶~~

~~(54) Intern license fee. Expires November 30 every two years - \$1040.¶¶~~

~~(65) Pharmacist:¶¶~~

~~(a) Biennial license fee:¶¶~~

~~(a) Expires June 30 each odd numbered year. The biennial license fee is - \$2350. Late renewal fee (received after June 30) - \$50.¶¶~~

~~(b) Electronic Prescription Monitoring Fund fee. Due by June 30 biennially - \$70. (This is a mandatory fee, required by ORS 431A.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).¶¶~~

~~(76) Certification of approved provider of continuing education course fee, none at this time.¶¶~~

~~(87) Pharmacy Technician license fee:¶¶~~

~~(a) Expires June 30 each even numbered year. The biennial license fee is - \$1040. Late renewal fee (received after June 30) - \$20. For Pharmacy Technician licenses that expire on June 30, 2023, a late renewal fee will not be assessed. ¶¶~~

~~(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 Pharmacy Technician license renewal fee).¶¶~~

~~(98) Certified Oregon Pharmacy Technician:¶¶~~

~~(a) Biennial license fee:¶¶~~

~~(a) Expires June 30 each even numbered year. The biennial license fee is - \$1040. 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

ADOPT: 855-110-0006

RULE SUMMARY: Adds new rule to clarify pharmacist examination fees to be paid to NABP as required in ORS 689.135(5)(a).

CHANGES TO RULE:

855-110-0006

Pharmacist Examination Fees Paid to NABP

(1) Pharmacist examination fees to be paid to the National Association of Boards of Pharmacy (NABP) for NAPLEX exam:¶

(a) NAPLEX Examination fee - \$520¶

(b) NAPLEX Reexamination fee - \$520¶

(c) All other associated fees see NABP website.¶

(2) Pharmacist jurisprudence examination fees to be paid to NABP for MPJE exam:¶

(a) MPJE Examination fee - \$170¶

(b) MPJE Reexamination fee - \$170¶

(c) All other associated fees see NABP website.

Statutory/Other Authority: ORS 689.205

Statutes/Other Implemented: ORS 689.135

AMEND: 855-110-0007

RULE SUMMARY: Increases Drug Outlet registration fees by 40% for Drug Distribution Agent, Drug Room, Manufacturer, Nonprescription Drug Outlet, Prophylactic/Contraceptive, Retail & Institutional Drug Outlet, Charitable Pharmacy, Community Health Clinic, Dispensing Practitioner Drug Outlet, Pharmacy Prescription Kiosk, Pharmacy Prescription Locker, Remote Dispensing Machine, Remote Distribution Facility and Wholesaler to address the lack of operational resources to fund the agency.

CHANGES TO RULE:

855-110-0007

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

(1) Drug Distribution Agent. Expires September 30 annually - ~~\$405~~60. Late renewal fee (received after September 30) - \$100.¶

(2) Drug Room (including Correctional Facility). Expires March 31 annually - ~~\$104~~0. Late renewal fee (received after March 31) - \$75.¶

(3) Manufacturer (including Manufacturer Class I, Manufacturer Class II and Manufacturer Class III). Expires September 30 annually - ~~\$527~~35. Late renewal fee (received after September 30) - \$100.¶

(4) Nonprescription Drug Outlet. Expires January 31 annually - ~~\$71~~05. Late renewal fee (received after January 31) - \$25.¶

(a) This includes the following categories of registration:¶

(A) Nonprescription Class A.¶

~~(B) Nonprescription Class B.¶~~

~~(C) Medical Device, Equipment & Gas Class C.¶~~

(b) Other nonprescription Drug Outlet registration category fees are as follows:¶

(A) Nonprescription Class D. Expires January 31 annually - ~~\$104~~0. Late renewal fee (received after January 31) - \$25.¶

(B) Nonprescription Class E. Expires January 31 annually - \$0. Late renewal fee (received after January 31) - \$0.¶

(5) Prophylactic and/or Contraceptive Wholesaler and/or Manufacturer - ~~\$57~~0. Expires December 31 annually.¶

(6) Re-inspection fee - \$100. Applies to any re-inspection of a drug outlet occasioned to verify corrections of violations found in an initial inspection.¶

(7) Retail or Institutional Drug Outlet Pharmacy. Expires March 31 annually - ~~\$223~~15. Late renewal fee (received after March 31) - \$75.¶

(a) This includes the following categories of registration:¶

(A) Home Dialysis Retail Drug Outlet Pharmacy¶

(B) Institutional Drug Outlet Pharmacy¶

(C) Remote Dispensing Site Retail Drug Outlet Pharmacy¶

(D) Retail Drug Outlet Pharmacy¶

(b) Other Retail/Institutional Drug Outlet registration category fees are as follows:¶

(A) Charitable Retail Drug Outlet Pharmacy. Expires March 31 annually - ~~\$71~~05. Late renewal fee (received after March 31) - \$25.¶

(B) Community Health Clinic (CHC) Retail Drug Outlet Pharmacy. Expires March 31 annually - ~~\$104~~0. Late renewal fee (received after March 31) - \$25.¶

(C) Dispensing Practitioner Drug Outlet (DPDO) Retail Drug Outlet Pharmacy. Expires March 31 annually - ~~\$104~~0. Late renewal fee (received after March 31) - \$25.¶

(D) Prescription Kiosk Retail Drug Outlet Pharmacy. Expires March 31 annually - ~~\$120~~68. Due by March 31 annually.¶

(E) Prescription Locker Retail Drug Outlet Pharmacy. Expires March 31 annually - ~~\$120~~68. Due by March 31 annually.¶

(F) Remote Dispensing Machine Institutional Drug Outlet Pharmacy. Expires March 31 annually - ~~\$120~~68. Due by March 31 annually.¶

(G) Remote Distribution Facility Institutional Drug Outlet Pharmacy. Expires March 31 annually - ~~\$120~~68. Due by March 31 annually.¶

(8) Wholesaler (including Wholesaler Class I, Wholesaler Class II and Wholesaler Class III). Expires September 30 annually - ~~\$527~~35. Late renewal fee (received after September 30) - \$100.

Statutory/Other Authority: ORS 689.205, ORS 291.055

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

AMEND: 855-110-0010

RULE SUMMARY: Increases Controlled Substances registration fees by 40% for Animal Euthanasia, Drug Distribution Agent, Drug Room, Manufacturer, Retail or Institutional Drug Outlet, Schedule II Precursor, Wholesaler and Remote Distribution Facility to address the lack of operational resources to fund the agency.

CHANGES TO RULE:

855-110-0010

Fees for Registration for Controlled Substances ¶¶

- (1) Animal Euthanasia controlled substance registration fee - ~~\$710~~5 annually. ¶¶
- (2) Drug Distribution Agent controlled substance registration fee - ~~\$104~~0 annually. ¶¶
- (3) Drug Room (including Correctional Facility) controlled substance registration fee - ~~\$104~~0 annually. ¶¶
- (4) Manufacturer controlled substance registration fee - ~~\$104~~0 annually. ¶¶
- (5) Retail or Institutional Drug Outlet controlled substance registration fee - ~~\$104~~0 annually. ¶¶
- (6) Schedule II Precursor registration fee - ~~\$710~~5 annually. ¶¶
- (7) Wholesaler controlled substance registration fee - ~~\$104~~0 annually. ¶¶
- (8) Remote Distribution Facility controlled substance registration fee - ~~\$104~~0 annually.

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

Statutes/Other Implemented: ORS 689.135