

ACT 248

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S.B. NO. 2697

A Bill for an Act Relating to Pharmacists.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 461-5, Hawaii Revised Statutes, is amended to read as follows:

“§461-5 Qualifications for license. (a) Any applicant for a license as a pharmacist shall submit evidence to the board that the applicant:

- (1) Is at least eighteen years of age.
- (2) Holds a degree from a school or college of pharmacy or department in a university, which school or college or department is recognized and accredited by the American Council of Pharmaceutical Education.
- (3) Has a minimum of [one year] two thousand hours practical experience in any state of the United States in a pharmacy under the supervision of a registered pharmacist. Service and experience in a pharmacy under the supervision of a registered pharmacist as required in this section shall be predominantly related to the selling of drugs, compounding prescriptions, preparing pharmaceutical preparations, keeping records and making reports required under state and federal statutes. In the event an applicant has no practical experience as required, the applicant may take the examination and upon passing the examination, shall not receive a license until after the fulfillment of the practical experience requirement.
- (4) Has passed an examination as may be prescribed by the board.

[(b) Any registered pharmacist of any state or territory of the United States who has practiced pharmacy there for two years or more shall be eligible to take the examination; provided that the applicant submits evidence to the board that the applicant is certified or licensed, and in good standing to practice pharmacy in another state.

(c) (b) Any applicant who is a graduate of a school or college of pharmacy located outside the United States, whose school or college of pharmacy has not been recognized by the board as an accredited school but who is otherwise qualified to apply for a license to practice pharmacy in this State, may be deemed to have satisfied the requirements of section 461-5(a)(2) by verification to the board of the applicant's academic record and the applicant's graduation and by meeting other requirements as the board may establish from time to time. The board shall require the applicant to successfully pass an examination or examinations given or approved by the board to establish proficiency in English and equivalency of education of such applicant with qualified graduates of a school or college recognized by the board as a prerequisite to taking the licensure examination provided for in section 461-6.”

SECTION 2. Section 461-7, Hawaii Revised Statutes, is amended to read as follows:

“§461-7 Temporary license. (a) [An applicant for examination who is a registered pharmacist as specified in section 461-5(b),] A registered pharmacist of any state or territory of the United States who is not eligible for licensure by reciprocity under section 461-8.5 may be granted a temporary license by the board; provided that the person shall first pass the state jurisprudence examination with a score of not less than seventy-five.

(b) A temporary license shall not entitle the holder to a permanent license, and no permanent license shall be issued until the person has passed the remaining licensure examinations set forth in section 461-6. Only one temporary license shall be issued to the same applicant.

(c) A temporary license shall only remain in effect until the results of the next licensure examinations are announced; provided that the board may extend any temporary license, upon written [application,] request, and¹ for good and just cause. Any applicant who fails to take or to pass the next licensure

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examination shall surrender the temporary license. The board shall receive a fee for the issuance of a temporary license.”

SECTION 3. Section 461-8, Hawaii Revised Statutes, is amended to read as follows:

“**§461-8 Renewal of licenses.** (a) All licenses issued by the board, except temporary licenses issued under section 461-7, shall be renewed biennially on or before December 31 of each odd-numbered year.

(b) Any holder of any expired license may be reinstated as a registered pharmacist upon payment of [a] any penalty fee [and all fees which the person would have paid if the person had continuously renewed the license.], the current biennial fees, and the renewal fee for the next biennium, if applicable.

(c) In the event that the pharmacist has not engaged in the practice of pharmacy in this State or in another state or territory of the United States within the past five years, the board may require the pharmacist to satisfy additional requirements, as specified in rules adopted pursuant to chapter 91, to demonstrate that the pharmacist is competent to practice in this State.”

SECTION 4. Section 461-8.5, Hawaii Revised Statutes, is amended to read as follows:

“~~[[§461-8.5]]~~ **Reciprocity.** (a) Any pharmacist who is registered or licensed under the laws of any state or territory of the United States with qualifications for licensure which equal or exceed those of this State, shall be eligible for licensure provided that (1) the pharmacist possesses a current valid license; (2) has practiced as a registered pharmacist for two thousand hours or more within the five years preceding the date of application; ~~[(2)]~~ (3) there is no disciplinary action pending or other unresolved complaints against the pharmacist in any state or territory; and ~~[(3)]~~ (4) the laws of the other state or territory grant reciprocal treatment to licensees of this State. The board may examine such licensees only as to knowledge of this State’s statutes and rules.

(b) If a registered pharmacist has not engaged in the practice of pharmacy in any state or territory of the United States for more than five years, the board may require the pharmacist to satisfy additional requirements, as specified in rules adopted pursuant to chapter 91, to demonstrate that the pharmacist is competent to practice in this State.”

SECTION 5. Statutory material to be repealed is bracketed. New statutory material is underscored.

SECTION 6. This Act shall take effect upon its approval.

(Approved June 25, 1990)

Note

1. So in original.