



NATIONAL ASSOCIATION OF
CHAIN DRUG STORES

January 22, 2015

Allison Benz, R.Ph., M.S.
Director of Professional Services
Texas State Board of Pharmacy
333 Guadalupe Street, Suite 3-600
Austin, Texas 78701

Re: 22 TAC §291.1, §291.3 – Pharmacy License Applications and Associated Notifications

Dear Ms. Benz:

On behalf of our members operating approximately 2,866 chain pharmacies in the state of Texas, the National Association of Chain Drug Stores (NACDS) thanks the Texas State Board of Pharmacy (TSBP) for the opportunity to comment on the proposed rule changes under 22 TAC 291.1 and 22 TAC 291.3 that pertain to the information that pharmacy license applicants are required to submit to TSBP. We appreciate TSBP considering our input on this proposed rule.

While we are generally supportive of this proposal, we have one area of concern that we ask TSBP to address prior to adopting these rule changes. Under 22 TAC 291.1 and 22 TAC 291.3, TSBP has proposed to require pharmacy license applicants and license holders experiencing a change in managing officers to provide to TSBP with a copy of the social security card of all managing officers. We are concerned that such a requirement could place managing officers at increased risk for identity theft, and unnecessarily so. Accordingly, we encourage TSBP to strike this provision from the proposed rule language:

291.1. Pharmacy License Application.

(a) To qualify for a pharmacy license, the applicant must submit an application including the following information:

...

(3) names, addresses, phone numbers, dates of birth, **copies of** and social security **cards numbers**, **and copies of current driver's licenses, state issued photo identification cards, or passports of all owners, or of all managing officers if the pharmacy is owned by a partnership or corporation. If** ~~numbers; however, if an individual is unable to obtain a social security number, an individual taxpayer identification number may be provided in lieu of a social security number along with documentation indicating why the individual is unable to obtain a social security number, of all owners; if a partnership or corporation, for all managing officers, the name, title, addresses, phone numbers, dates of birth, and social security numbers; however, if an individual is unable to obtain a social security number, an individual taxpayer identification number may be provided in lieu of a social security number along with documentation indicating why the individual is unable to obtain a social security number;~~

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291.3. Required Notifications.

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(b) Change of Managing Officers.

(1) The owner of a pharmacy shall notify the board in writing within 10 days of a change of any managing officer of a partnership or corporation which owns a pharmacy. The written notification shall include the effective date of such change and the following information for all managing officers:

...

(D) a copy of social security card number; however, if an individual is unable to obtain a social security number, an individual taxpayer identification number may be provided in lieu of a social security number along with documentation indicating why the individual is unable to obtain a social security number; and number.

...

NACDS thanks TSBP for considering our comments on this rulemaking. Please do not hesitate to contact me with any questions or for further assistance. I can be reached at: 817-442-1155 or mstaples@nacds.org.

Sincerely,

A handwritten signature in black ink that reads "Mary Staples". The script is cursive and fluid, with the first letters of each name being capitalized and prominent.

Mary Staples
Regional Director, State Government Affairs