

RULE ANALYSIS

Introduction: THESE AMENDMENTS ARE SUBMITTED TO THE BOARD FOR CONSIDERATION AS PROPOSED RULES

Short Title: Fees

Rule Numbers: §§291.6, 295.5, and 297.4

Statutory Authority: Texas Pharmacy Act, Chapter 551-566 and 568-569, Occupations Code:

- (1) Section 551.002 specifies that the purpose of the Act is to protect the public through the effective control and regulation of the practice of pharmacy; and
- (2) Section 554.051 gives the Board the authority to adopt rules for the proper administration and enforcement of the Act.

Purpose: The amendments, if adopted, will decrease pharmacy and pharmacist license fees and pharmacy technician registration fees based on expected expenses.

1 **TITLE 22 EXAMINING BOARDS**
2 **PART 15 TEXAS STATE BOARD OF PHARMACY**
3 **CHAPTER 291 PHARMACIES**
4 **SUBCHAPTER A ALL CLASSES OF PHARMACIES**

5
6 **§291.6 Pharmacy License Fees**
7

8
9 (a) Initial License Fee.

10
11 (1) The fee for an initial license shall be **\$401** [~~\$500~~] for the initial registration period and for
12 processing the application and issuance of the pharmacy license as authorized by the Act
13 §554.006.

14
15 (2) In addition, the following fees shall be collected:

16
17 (A) \$15 surcharge to fund a program to aid impaired pharmacists and pharmacy students as
18 authorized by the Act §564.051;

19
20 (B) **\$12** [~~\$15~~] surcharge to fund TexasOnline as authorized by Chapter 2054, Subchapter I,
21 Government Code; and

22
23 (C) \$5 surcharge to fund the Office of Patient Protection as authorized by Chapter 101,
24 Subchapter G, Occupations Code.

25
26 (b) Biennial License Renewal. The Texas State Board of Pharmacy shall require biennial
27 renewal of all pharmacy licenses provided under the Act §561.002.

28
29 (c) Renewal Fee.

30
31 (1) The fee for biennial renewal of a pharmacy license shall be **\$401** [~~\$500~~] for processing the
32 application and issuance of the pharmacy license as authorized by the Act §554.006.

33
34 (2) In addition, the following fees shall be collected:

35
36 (A) \$15 surcharge to fund a program to aid impaired pharmacists and pharmacy students as
37 authorized by the Act §564.051;

38
39 (B) **\$12** [~~\$15~~] surcharge to fund TexasOnline as authorized by Chapter 2054, Subchapter I,
40 Government Code; and

41
42 (C) \$2 surcharge to fund the Office of Patient Protection as authorized by Chapter 101,
43 Subchapter G, Occupations Code.

44
45 (d) Duplicate or Amended Certificates. The fee for issuance of an amended pharmacy license
46 renewal certificate shall be \$20.

1 **TITLE 22 EXAMINING BOARDS**
2 **PART 15 TEXAS STATE BOARD OF PHARMACY**
3 **CHAPTER 295 PHARMACISTS**

4
5 **§295.5 Pharmacist License or Renewal Fees**
6

7 (a) Biennial Registration. The Texas State Board of Pharmacy shall require biennial renewal of
8 all pharmacist licenses provided under the Pharmacy Act, §559.002.

9
10 (b) Initial License Fee.

11
12 (1) The fee for the initial license shall be **\$235** [~~\$284~~] for a two year registration and for
13 processing the application and issuance of the pharmacist license as authorized by the Act,
14 §554.006.

15
16 (2) In addition, the following fees shall be collected:

17
18 (A) \$13 surcharge to fund a program to aid impaired pharmacists and pharmacy students as
19 authorized by the Act, §564.051;

20
21 (B) \$5 surcharge to fund TexasOnline as authorized by Chapter 2054, Subchapter I,
22 Government Code; and

23
24 (C) \$5 surcharge to fund the Office of Patient Protection as authorized by Chapter 101,
25 Subchapter G, and Occupations Code.

26
27 (3) New pharmacist licenses shall be assigned an expiration date and initial fee shall be
28 prorated based on the assigned expiration date.

29
30 (c) Renewal Fee.

31
32 (1) The fee for biennial renewal of a pharmacist license shall be **\$235** [~~\$284~~] for processing the
33 application and issuance of the pharmacist license as authorized by the Act, §554.006.

34
35 (2) In addition, the following fees shall be collected:

36
37 (A) \$13 surcharge to fund a program to aid impaired pharmacists and pharmacy students as
38 authorized by the Act, §564.051;

39
40 (B) \$5 surcharge to fund TexasOnline as authorized by Chapter 2054, Subchapter I,
41 Government Code; and

42
43 (C) \$2 surcharge to fund the Office of Patient Protection as authorized by Chapter 101,
44 Subchapter G, Occupations Code.

45
46 (d) Exemption from fee. The license of a pharmacist who has been licensed by the Texas State
47 Board of Pharmacy for at least 50 years or who is at least 72 years old shall be renewed without
48 payment of a fee provided such pharmacist is not actively practicing pharmacy. The renewal
49 certificate of such pharmacist issued by the board shall reflect an inactive status. A person
50 whose license is renewed pursuant to this subsection may not engage in the active practice of
51 pharmacy without first paying the renewal fee as set out in subsection (b) of this section.

52

53 (e) Duplicate or Amended Certificates.

54

55 (1) The fee for issuance of an amended pharmacist's license renewal certificate shall be \$20.

56

57 (2) The fee for issuance of an amended license to practice pharmacy (wall certificate) only, or
58 renewal certificate and wall certificate shall be \$35.

1 **TITLE 22 EXAMINING BOARDS**
2 **PART 15 TEXAS STATE BOARD OF PHARMACY**
3 **CHAPTER 297 PHARMACY TECHNICIANS AND PHARMACY TECHNICIAN TRAINEES**

4
5 **§297.4 Fees**
6

7 (a) Pharmacy technician trainee. The fee for registration shall be **\$52** [~~\$62~~] and is composed of
8 the following fees:
9

10 (1) **\$45** [~~\$55~~] for processing the application and issuance of the pharmacy technician trainee
11 registration as authorized by the Act, §568.005;
12

13 (2) \$2 surcharge to fund TexasOnline as authorized by Chapter 2054, Subchapter I,
14 Government Code; and
15

16 (3) \$5 surcharge to fund the Office of Patient Protection as authorized by Chapter 101,
17 Subchapter G, Occupations Code.
18

19 (b) Pharmacy technician.
20

21 (1) Biennial Registration. The board shall require biennial renewal of all pharmacy technician
22 registrations provided under Chapter 568 of the Act.
23

24 (2) Initial Registration Fee. The fee for initial registration shall be **\$80** [~~\$99~~] for a two year
25 registration and is composed of the following fees:
26

27 (A) **\$72** [~~\$94~~] for processing the application and issuance of the pharmacy technician
28 registration as authorized by the Act, §568.005;
29

30 (B) \$3 surcharge to fund TexasOnline as authorized by Chapter 2054, Subchapter I,
31 Government Code; and
32

33 (C) \$5 surcharge to fund the Office of Patient Protection as authorized by Chapter 101,
34 Subchapter G, Occupations Code.
35

36 (3) Renewal Fee. The fee for biennial renewal of a pharmacy technician registration shall be
37 **\$77** [~~\$96~~] and is composed of the following:
38

39 (A) **\$72** [~~\$94~~] for processing the application and issuance of the pharmacy technician
40 registration as authorized by the Act, §568.005;
41

42 (B) \$3 surcharge to fund TexasOnline as authorized by Chapter 2054, Subchapter I,
43 Government Code; and
44

45 (C) \$2 surcharge to fund the Office of Patient Protection as authorized by Chapter 101,
46 Subchapter G, Occupations Code.
47

48 (c) Duplicate or Amended Certificates. The fee for issuance of a duplicate or amended
49 pharmacy technician trainee registration certificate or pharmacy technician registration renewal
50 certificate shall be \$20.