

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 raise pharmacy and pharmacist license fees and pharmacy technician registration fees to increase TSBP revenue to cover increased staff/expenses associated with the passage of certain legislation.

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 (a) Initial License Fee.

9
10 (1) The fee for an initial license shall be ~~\$XXX~~ [\$384] for the initial registration period and for
11 processing the application and issuance of the pharmacy license as authorized by the Act
12 §554.006.

13
14 (2) In addition, the following fees shall be collected:

15
16 (A) \$13 surcharge to fund a program to aid impaired pharmacists and pharmacy students as
17 authorized by the Act §564.051;

18
19 (B) \$12 surcharge to fund TexasOnline as authorized by Chapter 2054, Subchapter I,
20 Government Code; and

21
22 (C) \$5 surcharge to fund the Office of Patient Protection as authorized by Chapter 101,
23 Subchapter G, Occupations Code.

24
25 (b) (No change.)

26
27 (c) Renewal Fee.

28
29 (1) The fee for biennial renewal of a pharmacy license shall be ~~\$XXX~~ [\$384] for processing the
30 application and issuance of the pharmacy license as authorized by the Act §554.006.

31
32 (2) In addition, the following fees shall be collected:

33
34 (A) \$13 surcharge to fund a program to aid impaired pharmacists and pharmacy students as
35 authorized by the Act §564.051;

36
37 (B) \$12 surcharge to fund TexasOnline as authorized by Chapter 2054, Subchapter I,
38 Government Code; and

39
40 (C) \$2 surcharge to fund the Office of Patient Protection as authorized by Chapter 101,
41 Subchapter G, Occupations Code.

42
43 (d) (No change.)

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) (No change.)
8

9 (b) Initial License Fee.

10
11 (1) The fee for the initial license shall be ~~XXXX~~ [\$245] for a two year registration and for
12 processing the application and issuance of the pharmacist license as authorized by the Act,
13 §554.006.
14

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

17 (A) \$11 surcharge to fund a program to aid impaired pharmacists and pharmacy students as
18 authorized by the Act, §564.051;
19

20 (B) \$5 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, and Occupations Code.
25

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

29 (c) Renewal Fee.

30
31 (1) The fee for biennial renewal of a pharmacist license shall be ~~XXXX~~ [\$245] for processing
32 the application and issuance of the pharmacist license as authorized by the Act, §554.006.
33

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

36 (A) \$11 surcharge to fund a program to aid impaired pharmacists and pharmacy students as
37 authorized by the Act, §564.051;
38

39 (B) \$5 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) – (e) (No change.)

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 ~~\$XX~~ [\$47] and is composed of
8 the following fees:
9

10 (1) ~~\$XX~~ [\$40] 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 ~~\$XX~~ [\$75] for a two year
25 registration and is composed of the following fees:
26

27 (A) ~~\$XX~~ [\$67] 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 ~~\$XX~~ [\$74] and is composed of the following:
38

39 (A) ~~\$XX~~ [\$67] for processing the application and issuance of the pharmacy technician
40 registration as authorized by the Act, §568.005;
41

42 (B) \$2 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) (No change.)