

## RULE ANALYSIS

**Introduction:** THE AMENDMENTS ARE SUBMITTED TO THE BOARD FOR CONSIDERATION AS A PROPOSED RULE

**Short Title:** Internship Requirements

**Rule Numbers:** §§283.4, 283.7, 283.8, 283.11

**Statutory Authority:** Texas Pharmacy Act, Chapter 551-569, 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, eliminate the provisions allowing individuals who are unable to obtain a social security number, to provide an individual taxpayer identification number in lieu of a social security number because a social security number is required in order to process criminal background checks. In addition, the amendments to §283.8, if adopted, implement provisions of S.B. 460 passed during the 84<sup>th</sup> Texas Legislative session allowing applicants apply for a Texas pharmacist license who fail to achieve the minimum passing grade to retake the NAPLEX and MPJE examinations four additional times for a total of five times.

1 **TITLE 22 EXAMINING BOARDS**  
2 **PART 15 TEXAS STATE BOARD OF PHARMACY**  
3 **CHAPTER 283 LICENSING REQUIREMENTS FOR PHARMACISTS**

4  
5 **§283.4 Internship Requirements**  
6

7 (a) Goals and competency objectives of internship.

8  
9 (1) The goal of internship is for the pharmacist-intern to attain the knowledge, skills, and  
10 abilities to safely, efficiently, and effectively provide pharmacist-delivered patient care to a  
11 diverse patient population and practice pharmacy under the laws and regulations of the State of  
12 Texas.

13  
14 (2) The following competency objectives are necessary to accomplish the goal of internship in  
15 paragraph (1) of this subsection.

16  
17 (A) Provides drug products. The pharmacist-intern shall demonstrate competence in  
18 determining the appropriateness of prescription drug orders and medication orders; evaluating  
19 and selecting products; and assuring the accuracy of the product/prescription dispensing  
20 process.

21  
22 (B) Communicates with patients and/or patients' agents about prescription drugs. The  
23 pharmacist-intern shall demonstrate competence in interviewing and counseling patients, and/or  
24 the patients' agents, on drug usage, dosage, packaging, routes of administration, intended drug  
25 use, and storage; discussing drug cautions, adverse effects, and patient conditions; explaining  
26 policies on fees and services; relating to patients in a professional manner; and interacting to  
27 confirm patient understanding.

28  
29 (C) Communicates with patients and/or patients' agents about nonprescription products,  
30 devices, dietary supplements, diet, nutrition, traditional nondrug therapies, complementary and  
31 alternative therapies, and diagnostic aids. The pharmacist-intern shall demonstrate competence  
32 in interviewing and counseling patients and/or patients' agents on conditions, intended drug use,  
33 and adverse effects; assisting in and recommending drug selection; triaging and assessing the  
34 need for treatment or referral, including referral for a patient seeking pharmacist-guided self-  
35 care; providing information on medical/surgical devices and home diagnostic products; and  
36 providing poison control treatment information and referral.

37  
38 (D) Communicates with healthcare professionals and patients and/or patients' agents. The  
39 pharmacist-intern shall demonstrate competence in obtaining and providing accurate and  
40 concise information in a professional manner and using appropriate oral, written, and nonverbal  
41 language.

42  
43 (E) Practices as a member of the patient's interdisciplinary healthcare team. The pharmacist-  
44 intern shall demonstrate competence in collaborating with physicians, other healthcare  
45 professionals, patients, and/or patients' agents to formulate a therapeutic plan. The pharmacist-  
46 intern shall demonstrate competence in establishing and interpreting data-bases, identifying  
47 drug-related problems and recommending appropriate pharmacotherapy specific to patient  
48 needs, monitoring and evaluating patient outcomes, and devising follow-up plans.

49  
50 (F) Maintains professional-ethical standards. The pharmacist-intern is required to comply with  
51 laws and regulations pertaining to pharmacy practice; to apply professional judgment; to exhibit

52 reliability and credibility in dealing with others; to deal professionally and ethically with  
53 colleagues and patients; to demonstrate sensitivity and empathy for patients/care givers; and to  
54 maintain confidentiality.

55  
56 (G) Compounds. The pharmacist-intern shall demonstrate competence in using acceptable  
57 professional procedures; selecting appropriate equipment and containers; appropriately  
58 preparing compounded non-sterile and sterile preparations; and documenting calculations and  
59 procedures. Pharmacist-interns engaged in compounding non-sterile preparations shall meet  
60 the training requirements for pharmacists specified in §291.131 of this title (relating to  
61 Pharmacies Compounding Non-sterile Preparations). Pharmacist-interns engaged in  
62 compounding sterile preparations shall meet the training requirements for pharmacists specified  
63 in §291.133 of this title (relating to Pharmacies Compounding Sterile Preparations).

64  
65 (H) Retrieves and evaluates drug information. The pharmacist-intern shall demonstrate  
66 competence in retrieving, evaluating, managing, and using the best available clinical and  
67 scientific publications for answering a drug-related request in a timely fashion and assessing,  
68 evaluating, and applying evidence based information to promote optimal health care. The  
69 pharmacist-intern shall perform investigations on relevant topics in order to promote inquiry and  
70 problem-solving with dissemination of findings to the healthcare community and/or the public.

71  
72 (I) Manages general pharmacy operations. The pharmacist-intern shall develop a general  
73 understanding of planning, personnel and fiscal management, leadership skills, and policy  
74 development. The pharmacist-intern shall have an understanding of drug security, storage and  
75 control procedures and the regulatory requirements associated with these procedures, and  
76 maintaining quality assurance and performance improvement. The pharmacist-intern shall  
77 observe and document discrepancies and irregularities, keep accurate records and document  
78 actions. The pharmacist-intern shall attend meetings requiring pharmacy representation.

79  
80 (J) Participates in public health, community service or professional activities. The pharmacist-  
81 intern shall develop basic knowledge and skills needed to become an effective healthcare  
82 educator and a responsible participant in civic and professional organizations.

83  
84 (K) Demonstrates scientific inquiry. The pharmacist-intern shall develop skills to expand  
85 and/or refine knowledge in the areas of pharmaceutical and medical sciences or pharmaceutical  
86 services. This may include data analysis of scientific, clinical, sociological, and/or economic  
87 impacts of pharmaceuticals (including investigational drugs), pharmaceutical care, and patient  
88 behaviors, with dissemination of findings to the scientific community and/or the public.

89  
90 (b) Hours requirement.

91  
92 (1) The board requires 1,500 hours of internship for licensure. These hours may be obtained  
93 through one or more of the following methods:

94  
95 (A) in a board approved student internship program, as specified in subsection (c) of this  
96 section;

97  
98 (B) in a board-approved extended-internship program as specified in subsection (d) of this  
99 section; and/or

100

101 (C) graduation from a college/school of pharmacy after July 1, 2007. Persons graduating from  
102 such programs shall be credited 1,500 hours or the number of hours actually obtained and  
103 reported by the college; and/or

104  
105 (D) internship hours approved and certified to the board by another state board of pharmacy.  
106

107 (2) Pharmacist-interns participating in an internship may be credited no more than 50 hours  
108 per week of internship experience.

109  
110 (3) Internship hours may be used for the purpose of licensure for no longer than two years  
111 from the date the internship is completed.

112  
113 (c) College-/School-Based Internship Programs.

114  
115 (1) Internship experience acquired by student-interns.

116  
117 (A) An individual may be designated a student-intern provided he/she:

118  
119 (i) submits an application to the board that includes the following information:

120  
121 (I) name;

122  
123 (II) addresses, phone numbers, date of birth, and social security number; ~~[however, if an~~  
124 ~~individual is unable to obtain a social security number, an individual taxpayer identification~~  
125 ~~number may be provided in lieu of a social security number along with documentation indicating~~  
126 ~~why the individual is unable to obtain a social security number;]~~

127  
128 (III) college of pharmacy and expected graduation date; and

129  
130 (IV) any other information requested on the application.

131  
132 (ii) is enrolled in the professional sequence of a college/school of pharmacy;

133  
134 (iii) has successfully completed the first professional year and obtained a minimum of 30  
135 credit hours of work towards a professional degree in pharmacy; and

136  
137 (iv) has met all requirements necessary for the board to access the criminal history records  
138 information, including submitting fingerprint information and being responsible for all associated  
139 costs.

140  
141 (B) The terms of the student internship shall be as follows.

142  
143 (i) The student internship shall be gained concurrent with college attendance, which may  
144 include:

145  
146 (I) partial semester breaks such as spring breaks;

147  
148 (II) between semester breaks; and

149

150 (III) whole semester breaks provided the student-intern attended the college/school in the  
151 immediate preceding semester and is scheduled with the college/school to attend in the  
152 immediate subsequent semester.

153

154 (ii) The student internship shall be obtained in pharmacies licensed by the board, federal  
155 government pharmacies, or in a board-approved program.

156

157 (iii) The student internship shall be in the presence of and under the supervision of a  
158 healthcare professional preceptor or a pharmacist preceptor.

159

160 (C) None of the internship hours acquired outside of a school-based program may be  
161 substituted for any of the hours required in a college/school of pharmacy internship program.

162

163 (2) Expiration date for student-intern designation.

164

165 (A) The student-internship expires:

166

167 (i) if the student-intern voluntarily or involuntarily ceases enrollment, including suspension, in  
168 a college/school of pharmacy;

169

170 (ii) the student-intern fails either the NAPLEX or Texas Pharmacy Jurisprudence  
171 Examinations specified in this section; or

172

173 (iii) the student-intern fails to take either the NAPLEX or Texas Pharmacy Jurisprudence  
174 Examinations or both within six calendar months after graduation.

175

176 (B) The executive director of the board, in his/her discretion may extend the term of the  
177 student internship if administration of the NAPLEX or Texas Pharmacy Jurisprudence  
178 Examinations is suspended or delayed.

179

180 (3) Texas colleges/schools of pharmacy internship programs.

181

182 (A) Intern-trainees and student-interns completing a board-approved Texas college/school-  
183 based structured internship shall be credited the number of hours actually obtained and  
184 reported by the college. No credit shall be awarded for didactic experience.

185

186 (B) No more than 600 hours of the required 1,500 hours may be obtained under a healthcare  
187 professional preceptor except when a pharmacist-intern is working in a federal government  
188 pharmacy.

189

190 (C) Individuals enrolled in the professional sequence of a Texas college/school of pharmacy  
191 may be designated as a intern-trainee provided he/she:

192

193 (i) submits an application to the board that includes the following information:

194

195 (I) name;

196

197 (II) addresses, phone numbers, date of birth, and social security number; ~~[however, if an~~  
198 ~~individual is unable to obtain a social security number, an individual taxpayer identification~~  
199 ~~number may be provided in lieu of a social security number along with documentation indicating~~  
200 ~~why the individual is unable to obtain a social security number;]~~

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(III) college of pharmacy and expected graduation date; and

(IV) any other information requested on the application.

(ii) is enrolled in the professional sequence of a college/school of pharmacy; and

(iii) has met all requirements necessary for the board to access the criminal history records information, including submitting fingerprint information and being responsible for all associated costs. Such internship shall remain in effect during the time the intern-trainee is enrolled in the first year of the professional sequence and shall expire upon completion of the first year of the professional sequence or upon separation from the professional sequence.

(d) Extended-internship program.

(1) A person may be designated an extended-intern provided he/she has met one of the following requirements:

(A) passed NAPLEX and the Texas Pharmacy Jurisprudence Examinations but lacks the required number of internship hours for licensure;

(B) applied to the board to take the NAPLEX and Texas Jurisprudence Examinations within six calendar months after graduation and has:

(i) graduated and received a professional degree from a college/school of pharmacy; or

(ii) completed all of the requirements for graduation and receipt of a professional degree from a college/school of pharmacy;

(C) applied to the board to take the NAPLEX and Texas Jurisprudence Examinations within six calendar months after obtaining full certification from the Foreign Pharmacy Graduate Equivalency Commission;

(D) applied to the board for re-issuance of a pharmacist license which has expired for more than two years but less than ten years and has successfully passed the Texas Pharmacy Jurisprudence Examination, but lacks the required number of hours of internship or continuing education required for licensure;

(E) is a resident in a residency program accredited by the American Society of Health-System Pharmacists in the state of Texas; or

(F) been ordered by the Board to complete an internship.

(2) In addition to meeting one of the requirements in paragraph (1) of this subsection, an applicant for an extended-internship must:

(A) submit an application to the board that includes the following information:

(i) name;

(ii) addresses, phone numbers, date of birth, and social security number; ~~however, if an individual is unable to obtain a social security number, an individual taxpayer identification~~

252 ~~number may be provided in lieu of a social security number along with documentation indicating~~  
253 ~~why the individual is unable to obtain a social security number;}~~

254  
255 (iii) any other information requested on the application; and  
256

257 (B) meet all requirements necessary for the board to access the criminal history records  
258 information, including submitting fingerprint information and being responsible for all associated  
259 costs.

260  
261 (3) The terms of the extended-internship shall be as follows.

262  
263 (A) The extended-internship shall be board-approved and gained in a pharmacy licensed by  
264 the board, or a federal government pharmacy participating in a board-approved internship  
265 program.

266  
267 (B) The extended-internship shall be in the presence of and under the direct supervision of a  
268 pharmacist preceptor.

269  
270 (4) The extended internship remains in effect for two years. However, the internship expires  
271 immediately upon:

272  
273 (A) the failure of the extended-intern to take the NAPLEX and Texas Pharmacy  
274 Jurisprudence Examinations within six calendar months after graduation or FPGEC certification;

275  
276 (B) the failure of the extended-intern to pass the NAPLEX and Texas Pharmacy  
277 Jurisprudence Examinations specified in this section;

278  
279 (C) upon termination of the residency program; or

280  
281 (D) obtaining a Texas pharmacist license.

282  
283 (5) The executive director of the board, in his/her discretion may extend the term of the  
284 extended internship if administration of the NAPLEX and/or Texas Pharmacy Jurisprudence  
285 Examinations is suspended or delayed.

286  
287 (6) An applicant for licensure who has completed less than 500 hours of internship at the time  
288 of application shall complete the remainder of the 1,500 hours of internship and have the  
289 preceptor certify that the applicant has met the objectives listed in subsection (a) of this section.

290  
291 (e) Pharmacist-intern identification.

292  
293 (1) The board shall provide the pharmacist-intern written documentation of designation as a  
294 pharmacist-intern. This written documentation serves as identification and authorization to  
295 perform the duties of a pharmacist-intern as described in §283.5 of this title (relating to  
296 Pharmacist-Intern Duties).

297  
298 (2) Pharmacist-interns shall keep this written documentation with them at all times they are  
299 serving as a pharmacist-intern and make it available for inspection by board agents.

300  
301 (3) All pharmacist-interns shall wear an identification tag or badge which bears the person's  
302 name and identifies him or her as a pharmacist-intern.

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(f) Change of address and/or name.

(1) Change of address. A pharmacist-intern shall notify the board electronically or in writing within 10 days of a change of address, giving the old and new address.

(2) Change of name. A pharmacist-intern shall notify the board in writing within 10 days of a change of name by:

(A) sending a copy of the official document reflecting the name change (e.g., marriage certificate, divorce decree, etc.);

(B) returning the current pharmacist-intern certificate which reflects the previous name; and

(C) paying a fee of \$20.

(g) Duplicate or amended certificate. The fee for issuance of a duplicate or amended pharmacist-intern registration certificate shall be \$20.

### **§283.7 Examination Requirements**

Each applicant for licensure by examination shall pass the Texas Pharmacy Jurisprudence Examination and the NAPLEX. The examination requirements shall be as follows:

(1) Prior to taking the required examination, the applicant shall:

(A) meet the educational and age requirements as set forth in §283.3 of this title (relating to Educational and Age Requirements);

(B) meet all requirements necessary in order for the Board to access the criminal history record information, including submitting fingerprint information and being responsible for all associated costs; and

(C) submit an application to the board that includes the following information:

(i) name;

(ii) addresses, phone numbers, date of birth, and social security 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

(iii) any other information requested on the application.

(2) All applicants shall pass NAPLEX, which includes, at a minimum, the following subject areas:

(A) chemistry;

(B) mathematics;

354 (C) pharmacy;  
355  
356 (D) pharmacology; and  
357  
358 (E) practice of pharmacy.  
359  
360 (3) Effective October 1, 1979, the following requirements apply.  
361  
362 (A) To pass NAPLEX, an applicant shall make the following grades:  
363  
364 (i) a minimum grade of 60 on chemistry, mathematics, pharmacy, and pharmacology test;  
365  
366 (ii) a minimum grade of 75 on the practice of pharmacy test; and  
367  
368 (iii) a minimum average grade of 75 on the NAPLEX.  
369  
370 (B) Should the applicant fail to achieve a minimum grade of 60 in any of the tests set out in  
371 paragraph (2)(A) - (E) of this section or fail to achieve a minimum grade of 75 in the practice of  
372 pharmacy test or fail to achieve a minimum average grade of 75 in the NAPLEX, such applicant,  
373 in order to be licensed, is required to retake all tests until such time as the minimum average  
374 grades are achieved.  
375  
376 (4) Effective June 1, 1986, the following requirements apply.  
377  
378 (A) To pass the NAPLEX, an applicant shall make a minimum average grade of 75.  
379  
380 (B) Should the applicant fail to achieve a minimum average grade of 75 in the NAPLEX, such  
381 applicant, in order to be licensed, shall retake the NAPLEX, as specified in §283.11 of this title  
382 (relating to Examination Retake Requirements) until such time as a minimum average grade of  
383 75 is achieved.  
384  
385 (5) To pass the Texas Pharmacy Jurisprudence Examination, an applicant shall make a  
386 minimum grade of 75. Should the applicant fail to achieve a minimum grade of 75 on the Texas  
387 Pharmacy Jurisprudence Examination, such applicant, in order to be licensed, shall retake the  
388 Texas Pharmacy Jurisprudence Examination as specified in §283.11 of this title until such time  
389 as a minimum average grade of 75 is achieved.  
390  
391 (6) A passing grade on an examination may be used for the purpose of licensure for a period  
392 of two years from the date of passing the examination.  
393  
394 (7) Each applicant for licensure by examination utilizing NAPLEX scores transferred from  
395 another state shall meet the following requirements for licensure in addition to the requirements  
396 set out in paragraphs (1) - (6) of this section.  
397  
398 (A) The applicant shall request NABP to transfer NAPLEX scores to the board. Such request  
399 shall be in accordance with NABP policy.  
400  
401 (B) The applicant shall pay the fee set out in §283.9 of this title.  
402

403 (8) The NAPLEX and Texas Pharmacy Jurisprudence Examination shall be administered in  
404 compliance with the Americans with Disabilities Act of 1990 (42 U.S.C. Section 12101 et seq.)  
405 and in accordance with NABP policy.  
406

407 (9) The board, in accordance with NABP policy, shall provide reasonable accommodations for  
408 an applicant diagnosed as having dyslexia, as defined in §51.970, Texas Education Code. The  
409 applicant shall provide:

410  
411 (A) written documentation from a licensed physician which indicates that the applicant has  
412 been diagnosed as having dyslexia; and

413  
414 (B) a written request outlining the reasonable accommodations requested.  
415

### 416 **§283.8 Reciprocity Requirements**

417  
418 (a) All applicants for licensure by reciprocity shall:

419  
420 (1) meet the educational and age requirements specified in §283.3 of this title (relating to  
421 Educational and Age Requirements);

422  
423 (2) meet all requirements necessary in order for the board to access the criminal history record  
424 information, including submitting fingerprint information and being responsible for all associated  
425 costs;

426  
427 (3) complete the Texas and NABP applications for reciprocity. Any fraudulent statement made  
428 in the application for reciprocity is grounds for denial of the application; if such application is  
429 granted, any fraudulent statement is grounds for suspension, revocation, and/or cancellation of  
430 any license so granted by the board. The Texas application includes the following information:

431  
432 (A) name;

433  
434 (B) addresses, phone numbers, dates of birth, and social security numbers; [~~however, if an~~  
435 ~~individual is unable to obtain a social security number, an individual taxpayer identification~~  
436 ~~number may be provided in lieu of a social security number along with documentation indicating~~  
437 ~~why the individual is unable to obtain a social security number;~~] and

438  
439 (C) any other information requested on the application.  
440

441 (4) shall present to the board proof of initial licensing by examination and proof that their  
442 current license and any other license or licenses granted to the applicant by any other state  
443 have not been suspended, revoked, canceled, surrendered, or otherwise restricted for any  
444 reason; and

445  
446 (5) shall pass the Texas Pharmacy Jurisprudence Examination with a minimum grade of 75.  
447 (The passing grade may be used for the purpose of licensure by reciprocity for a period of two  
448 years from the date of passing the examination.) Should the applicant fail to achieve a minimum  
449 grade of 75 on the Texas Pharmacy Jurisprudence Examination, such applicant, in order to be  
450 licensed, shall retake the Texas Pharmacy Jurisprudence Examination as specified in §283.11  
451 of this title (relating to Examination Retake Requirements) until such time as a minimum grade  
452 of 75 is achieved.  
453

454 (b) A reciprocity applicant originally licensed after January 1, 1978, and who has graduated and  
455 received a professional degree from a college of pharmacy, shall show proof such applicant has  
456 passed the NAPLEX or equivalent examination based on criteria no less stringent than the  
457 criteria in force in Texas.

458

459 (c) A reciprocity applicant who is a foreign pharmacy graduate shall provide written  
460 documentation that such applicant has:

461

462 (1) obtained full certification from the FPGEC; and

463

464 (2) passed NAPLEX or equivalent examination based on criteria no less stringent than the  
465 criteria in force in Texas.

466

467 (d) An applicant is not eligible for licensing by reciprocity unless the state in which the applicant  
468 is currently or was initially licensed as a pharmacist also grants reciprocal licensing to  
469 pharmacists duly licensed by examination in this state, under like circumstances and conditions.

470

#### 471 **§283.11 Examination Retake Requirements**

472

473 (a) Licensing by examination. Should an applicant fail to achieve the minimum grade on the  
474 NAPLEX or Texas Pharmacy Jurisprudence Examination or both, the following is applicable.

475

476 (1) If the applicant fails to achieve the minimum grade on NAPLEX as specified in §283.7 of  
477 this title (relating to Examination Requirements), the applicant may retake NAPLEX **four** [~~two~~]  
478 additional times for a total of **five** [~~three~~] exam administrations. Prior to any subsequent retakes  
479 of NAPLEX, the applicant must:

480

481 (A) request in writing an analysis of the applicant's performance on the most recent NAPLEX  
482 and provide this analysis to the Examination Retake Committee;

483

484 (B) complete college course work in subject areas recommended by the Examination Retake  
485 Committee;

486

487 (C) submit documentation from the Examination Retake Committee which specifies that the  
488 applicant has successfully completed the course work specified; and

489

490 (D) comply with the requirements of §283.7 of this title (relating to Examination  
491 Requirements).

492

493 (2) If the applicant fails to achieve the minimum grade on the Texas Pharmacy Jurisprudence  
494 Examination as specified in §283.7 of this title (relating to Examination Requirements), the  
495 applicant may retake the examination **four** [~~two~~] additional times for a total of three exam  
496 administrations. Prior to any subsequent retake of the Texas Pharmacy Jurisprudence  
497 Examination, the applicant must:

498

499 (A) request in writing an analysis of the applicant's performance on the most recent Texas  
500 Pharmacy Jurisprudence Examination and provide this analysis to the Examination Retake  
501 Committee;

502

503 (B) complete college course work recommended by the Examination Retake Committee;

504

505 (C) submit documentation from the Examination Retake Committee which specifies that the  
506 applicant has successfully completed the recommended college course work; and  
507

508 (D) comply with the requirements of §283.7 of this title (relating to Examination  
509 Requirements).  
510

511 (3) If the applicant fails to achieve the minimum grade on both NAPLEX and the Texas  
512 Pharmacy Jurisprudence Examination, the applicant shall retake the examinations until a  
513 passing grade is achieved on one of the examinations. Such retakes shall be as specified in  
514 paragraphs (1) and (2) of this subsection.  
515

516 (b) Licensing by reciprocity. If an applicant fails to achieve the minimum grade on the Texas  
517 Pharmacy Jurisprudence Examination as specified in §283.8 of this title (relating to Reciprocity  
518 Requirements), the applicant may retake the examination ~~four~~ two additional times for a total  
519 of ~~five~~ three exam administrations. Prior to any subsequent retake of the Texas Pharmacy  
520 Jurisprudence Examination, the applicant must:  
521

522 (1) request in writing an analysis of the applicant's performance on the most recent Texas  
523 Pharmacy Jurisprudence Examination and provide this analysis to the Examination Retake  
524 Committee;  
525

526 (2) complete college course work recommended by the Examination Retake Committee;  
527

528 (3) submit documentation from the Examination Retake Committee which specifies that the  
529 applicant has successfully completed the recommended college course work; and  
530

531 (4) comply with the requirements of §283.8 of this title (relating to Reciprocity Requirements).  
532

533 (c) Examination Retake Committee. The board shall appoint one representative from each  
534 Texas college/school of pharmacy and one current board member to serve on the Examination  
535 Retake Committee. The Examination Retake Committee shall:  
536

537 (1) meet as necessary but no more than twice each calendar year;  
538

539 (2) review the analysis of an applicant's performance on failed examination(s);  
540

541 (3) recommend college course work which the applicant must successfully complete before the  
542 applicant may retake the examination(s);  
543

544 (4) specify the requirements for completion of the recommended college course work and the  
545 documentation required to validate successful completion of the recommended college course  
546 work; and  
547

548 (5) once the applicant has met the requirements set out by the committee, certify to the board  
549 that the applicant has successfully completed the required college course work.  
550

551 (d) College course work. For the purpose of this subsection, college course work shall be:  
552

553 (1) one or more standard courses or self-paced work offered in a college of pharmacy's  
554 academic program; or  
555

- 556 (2) one or more courses presented by a board-approved provider of continuing pharmacy  
557 education as specified in §295.8 of this title (relating to Continuing Education Requirements); or  
558  
559 (3) any course specified by the Examination Retake Committee.  
560

### 561 **§283.12 Licenses for Military Spouses**

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563 (a) Alternative licensing procedure. For the purpose of §55.004, Occupations Code, an applicant  
564 for a pharmacist's license who is the spouse of a person serving on active duty as a member of  
565 the armed forces of the United States may complete the following alternative procedures for  
566 licensing as a pharmacist.  
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568 (1) Requirements for licensing by reciprocity. An applicant for licensing by reciprocity who  
569 meets all of the following requirements may be granted a temporary license as specified in  
570 subsection (b) of this section prior to completing the NABP application for pharmacist license by  
571 reciprocity, and taking and passing the Texas Pharmacy Jurisprudence Examination. The  
572 applicant shall:

573  
574 (A) complete the Texas application for pharmacist license by reciprocity that includes the  
575 following:

576 (i) name;

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578 (ii) addresses, phone numbers, date of birth, and social security number; ~~[however, if an~~  
579 ~~individual is unable to obtain a social security number, an individual taxpayer identification~~  
580 ~~number may be provided in lieu of a social security number along with documentation indicating~~  
581 ~~why the individual is unable to obtain a social security number;]~~ and  
582

583 (iii) any other information requested on the application;

584  
585 (B) meet the educational and age requirements as set forth in §283.3 of this title (relating to  
586 Educational and Age Requirements);  
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588  
589 (C) present to the board proof of initial licensing by examination and proof that any current  
590 licenses and any other licenses granted to the applicant by any other state have not been  
591 suspended, revoked, canceled, surrendered, or otherwise restricted for any reason;  
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593 (D) meet all requirements necessary for the board to access the criminal history records  
594 information, including submitting fingerprint information and such criminal history check does not  
595 reveal any disposition for a crime that board rule §281.64 of this title (relating to Sanctions for  
596 Criminal Offenses) indicates a sanction of denial, revocation, or suspension;  
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598 (E) pay the licensing fee set out in §283.9 of this title (relating to Fee Requirements for  
599 Licensure by Examination, Score Transfer and Reciprocity); and  
600

601 (F) provide documentation that the applicant is the spouse of a member of the armed forces  
602 of the United States to include:

603 (i) marriage certificate; and

604 (ii) military identification indicating that the:  
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(I) applicant is a military dependent; and

(II) applicant's spouse is on active duty status.

(2) Requirements for an applicant whose Texas pharmacist's license has expired. An applicant whose Texas pharmacist's license has expired within five years preceding the application date and while the applicant lived in another state for at least six months:

(A) shall complete the Texas application for licensing that includes the following:

(i) name;

(ii) addresses, phone numbers, date of birth, and social security 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

(iii) any other information requested on the application;

(B) shall provide documentation that the applicant is the spouse of a person serving on active duty as a member of the armed forces of the United States to include:

(i) marriage certificate; and

(ii) military identification;

(C) shall pay the renewal fee specified in §295.5 of this title (relating to Pharmacist License Renewal Fees);

(D) shall complete approved continuing education requirements according to the following schedule:

(i) if the Texas pharmacist license has been expired for more than one year but less than two years, the applicant shall complete 15 contact hours of approved continuing education;

(ii) if the Texas pharmacist license has been expired for more than two years but less than three years, the applicant shall complete 30 contact hours of approved continuing education; or

(iii) if the Texas pharmacist license has been expired for more than three years but less than five years, the applicant shall complete 45 contact hours of approved continuing education; and

(E) is not required to take the Texas Pharmacy Jurisprudence Examination.

(3) A temporary license issued under this section is valid for no more than six months and may be extended, if disciplinary action is pending, or upon request, as otherwise determined reasonably necessary by the executive director of the board.

(4) A temporary license issued under this section expires within six months of issuance if the individual fails to pass the Texas Pharmacy Jurisprudence Examination within six months or fails to take the Texas Pharmacy Jurisprudence Examination within six months.

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(5) An individual may not serve as pharmacist-in-charge of a pharmacy with a temporary license issued under this subsection.

(b) Expedited licensing procedure. For the purpose of §55.005, Occupations Code, an applicant for a pharmacist license who is the spouse of a person serving on active duty as a member of the armed forces of the United States and who holds a current license as a pharmacist issued by another state may complete the following expedited procedures for licensing as a pharmacist. The applicant shall:

(1) meet the educational and age requirements specified in §283.3 of this title (relating to Educational and Age Requirements);

(2) meet all requirements necessary in order for the board to access the criminal history record information, including submitting fingerprint information and being responsible for all associated costs;

(3) complete the Texas and NABP applications for reciprocity. Any fraudulent statement made in the application for reciprocity is grounds for denial of the application; if such application is granted, any fraudulent statement is grounds for suspension, revocation, and/or cancellation of any license so granted by the board. The Texas application includes the following information:

(A) name;

(B) addresses, phone numbers, date of birth, and social security 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

(C) any other information requested on the application.

(4) shall present to the board proof of initial licensing by examination and proof that their current license and any other license or licenses granted to the applicant by any other state have not been suspended, revoked, canceled, surrendered, or otherwise restricted for any reason; and

(5) shall pass the Texas Pharmacy Jurisprudence Examination with a minimum grade of 75. (The passing grade may be used for the purpose of licensure by reciprocity for a period of two years from the date of passing the examination.) Should the applicant fail to achieve a minimum grade of 75 on the Texas Pharmacy Jurisprudence Examination, such applicant, in order to be licensed, shall retake the Texas Pharmacy Jurisprudence Examination as specified in §283.11 of this title (relating to Examination Retake Requirements) until such time as a minimum grade of 75 is achieved.