

## RULE ANALYSIS

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

**Short Title:** Fees

**Rule Numbers:** §283.9

**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, will increase the pharmacist examination fee from \$52 to \$103.

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

4  
5 **§283.9 Fee Requirements for Licensure by Examination, Score Transfer and Reciprocity**  
6

7  
8 (a) The fees for licensure by examination, score transfer, and reciprocity shall include one exam  
9 administration. The fees are as follows:

10  
11 (1) Examination Fee. The fee to submit an application for licensure by examination will include:

12  
13 (A) An examination processing fee of **\$103** [~~\$52~~], which is to be paid to the Texas State  
14 Board of Pharmacy and includes the processing of the Texas application.

15  
16 (B) NAPLEX administrative and examination fees as determined by NABP, which are to be  
17 paid to NABP in accordance with NABP policy.

18  
19 (C) MPJE administrative and examination fees as determined by NABP, which are to be paid  
20 to NABP in accordance with NABP policy.

21  
22 (2) Reciprocity Fee. The fee to submit an application for licensure by reciprocity will include.

23  
24 (A) A reciprocity fee of \$255, which is to be paid to the Texas State Board of Pharmacy.

25  
26 (B) MPJE administrative and examination fees as determined by NABP, which are to be paid  
27 to NABP in accordance with NABP policy.

28  
29 (C) A license verification fee as determined by NABP, which is to be paid to NABP in  
30 accordance with NABP policy.

31  
32 (3) Score Transfer Fee. The fees to transfer a score to Texas, using the NAPLEX Score  
33 Transfer system will include:

34  
35 (A) An examination processing fee of **\$103** [~~\$52~~], which is to be paid to the Texas State  
36 Board of Pharmacy and includes the processing of the Texas application.

37  
38 (B) MPJE administrative and examination fees as determined by NABP, which are to be paid  
39 to NABP in accordance with NABP policy.

40  
41 (C) A score transfer fee as determined by NABP, which is to be paid to NABP in accordance  
42 with NABP policy.

43  
44 (b) If an applicant fails an examination or is required to take an examination by the Board, the  
45 application fee is **\$103** [~~\$52~~] for each examination the applicant is required to take.

46  
47 (c) Rescheduling or canceling an examination appointment.

48  
49 (1) Refunds for fees charged by NABP for the administration of the NAPLEX and MPJE are in  
50 accordance with NABP policy. Rescheduling of an examination appointment shall be in  
51 accordance with NABP policy.

52  
53 (2) The Board may refund fifty percent of an examination fee paid to the Board by an applicant  
54 if the applicant:

55  
56 (A) provides advance notice of their inability to take the examination prior to the board  
57 providing authorization to take the examination; or  
58

59 (B) is unable to take the examination due to an emergency situation including but not limited  
60 to a manmade or natural disaster, documented serious medical illness, or other circumstance  
61 deemed an emergency by the Executive Director of the Board.  
62

63 (d) A person who takes NAPLEX and/or the Texas Pharmacy Jurisprudence Examination will be  
64 notified of the results of the examination(s) within two weeks of receipt of the results of the  
65 examination(s) from the testing service. If both NAPLEX and the Texas Pharmacy  
66 Jurisprudence Examination are taken, the applicant will not be notified until the results of both  
67 examinations have been received. Such notification will be made within two weeks after receipt  
68 of the results of both examinations.  
69

70 (e) Once an applicant has successfully completed all requirements of licensure, the applicant  
71 will be notified of licensure as a pharmacist and of his or her pharmacist license number and the  
72 following is applicable.  
73

74 (1) The notice letter shall serve as authorization for the person to practice pharmacy in Texas  
75 for a period of 30 days from the date of the notice letter.  
76

77 (2) The applicant shall complete a pharmacist license application and pay one pharmacist  
78 licensee fee as specified in §295.5 of this title (relating to Pharmacist License or Renewal Fees).  
79

80 (3) The provisions of §295.7 of this title (relating to Pharmacist License Renewal) apply to the  
81 timely receipt of an application and licensure fee.  
82

83 (4) If application and payment of the pharmacist license fee are not received by the board  
84 within 30 days from the date of the notice letter, the person's license to practice pharmacy shall  
85 expire. A person may not practice pharmacy with an expired license. The license may be  
86 renewed according to the following schedule.  
87

88 (A) If the notice letter has been expired for 90 days or less, the person may become licensed  
89 by making application and paying to the board one license fee and a fee that is one-half of the  
90 examination fee for the license.  
91

92 (B) If the notice letter has been expired for more than 90 days but less than one year, the  
93 person may become licensed by making application and paying to the board all unpaid renewal  
94 fees and a fee that is equal to the examination fee for the license.  
95

96 (C) If the notice letter has been expired for one year or more, the person shall apply for a new  
97 license.

## RULE ANALYSIS

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

**Short Title:** Fees

**Rule Numbers:** §291.6

**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, will increase the fee to obtain an amended pharmacy license from \$20 to \$100.

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) Prior to October 1, 2015, the fee for an initial license shall be \$500 for the initial registration  
11 period and for processing the application and issuance of the pharmacy license as authorized  
12 by the Act §554.006. Effective October 1, 2015, the fee for an initial license shall be \$401 for the  
13 initial registration period and for processing the application and issuance of the pharmacy  
14 license as authorized by the Act §554.006.  
15

16 (2) In addition, the following fees shall be collected:  
17

18 (A) \$15 surcharge to fund a program to aid impaired pharmacists and pharmacy students as  
19 authorized by the Act §564.051;  
20

21 (B) prior to October 1, 2015, \$15 surcharge to fund TexasOnline as authorized by Chapter  
22 2054, Subchapter I, Government Code; and effective October 1, 2015, \$12 surcharge to fund  
23 TexasOnline as authorized by Chapter 2054, Subchapter I, Government Code; and  
24

25 (C) \$5 surcharge to fund the Office of Patient Protection as authorized by Chapter 101,  
26 Subchapter G, Occupations Code.  
27

28 (b) Biennial License Renewal. The Texas State Board of Pharmacy shall require biennial  
29 renewal of all pharmacy licenses provided under the Act §561.002.  
30

31 (c) Renewal Fee.  
32

33 (1) Prior to October 1, 2015, the fee for biennial renewal of a pharmacy license shall be \$500  
34 for processing the application and issuance of the pharmacy license as authorized by the Act  
35 §554.006. Effective October 1, 2015, the fee for biennial renewal of a pharmacy license shall be  
36 \$401 for processing the application and issuance of the pharmacy license as authorized by the  
37 Act §554.006.  
38

39 (2) In addition, the following fees shall be collected:  
40

41 (A) \$15 surcharge to fund a program to aid impaired pharmacists and pharmacy students as  
42 authorized by the Act §564.051;  
43

44 (B) prior to October 1, 2015, \$15 surcharge to fund TexasOnline as authorized by Chapter  
45 2054, Subchapter I, Government Code; and effective October 1, 2015, \$12 surcharge to fund  
46 TexasOnline as authorized by Chapter 2054, Subchapter I, Government Code; and  
47

48 (C) \$2 surcharge to fund the Office of Patient Protection as authorized by Chapter 101,  
49 Subchapter G, Occupations Code.  
50

51 (d) Duplicate or Amended Certificates. The fee for issuance of a duplicate [an amended]  
52 pharmacy license renewal certificate shall be \$20. The fee for issuance of an amended  
53 pharmacy license renewal certificate shall be \$100.