

HB123 ENGROSSED



1 HB123
2 YMBALNN-2
3 By Representatives Underwood, Wilcox
4 RFD: Boards, Agencies and Commissions
5 First Read: 04-Feb-25
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A BILL
TO BE ENTITLED
AN ACT

Relating to the Alabama Sunset Law; to continue the existence and functioning of the Alabama State Board of Pharmacy until October 1, 2026, with certain modifications; to amend Sections 34-23-3, 34-23-8, 34-23-12, 34-23-13, 34-23-30, 34-23-32.2, 34-23-33, 34-23-34, 34-23-52, 34-23-90, 34-23-91, 34-23-92, 34-23-93, and 34-23-131, Code of Alabama 1975; to reconstitute the membership of the board; to revise the compensation of board members and their duties; to provide further for the position of secretary; to revise the board's authority to impose penalties; to provide further for the board's authorization to discipline pharmacists, pharmacies, and certain other entities; to provide further for the general counsel of the board; to require the board to report on the status of board rules; and to make nonsubstantive, technical revisions to update the existing code language to current style.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Pursuant to the Alabama Sunset Law, the Sunset Committee recommends the continuance of the Alabama State Board of Pharmacy until October 1, 2026, with the



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29 additional recommendation for statutory change as set out in
30 Section 3.

31 Section 2. The existence and functioning of the Alabama
32 State Board of Pharmacy, created and functioning pursuant to
33 Chapter 23 of Title 34, Code of Alabama 1975, is continued
34 until October 1, 2026, and those code sections are expressly
35 preserved.

36 Section 3. Section 34-23-3, 34-23-8, 34-23-12,
37 34-23-13, 34-23-30, 34-23-32.2, 34-23-33, 34-23-34, 34-23-52,
38 34-23-90, 34-23-91, 34-23-92, 34-23-93, and 34-23-131, Code of
39 Alabama 1975, are amended to read as follows:

40 "§34-23-3

41 (a) Each state drug investigator employed by the board
42 ~~following the passage of this chapter~~ must furnish
43 satisfactory proof to the board that ~~he or she~~ the
44 investigator is ~~a person~~ an individual of good moral character
45 and that in the judgment of the members of the board, he or
46 she has sufficient knowledge of the laws pertaining to the
47 practice of pharmacy and law enforcement to enable him or her
48 to carry out ~~his or her~~ the duties as an investigator
49 consistent with this chapter. ~~Each~~ A state drug investigator
50 employed by the board ~~shall~~ must serve an apprenticeship of a
51 minimum of six months working with and under the supervision
52 of the ~~Chief Drug Investigator~~ chief drug investigator or
53 other investigator designated by the board. ~~Each such~~ An
54 investigator, before entering upon his or her duties, shall
55 post with the board a bond in the amount of two thousand
56 dollars (\$2,000) conditioned upon the faithful performance of



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57 his or her duties.

58 (b) Each A state drug investigator ~~shall have the power~~
59 ~~to inspect~~ shall:

60 (1) Inspect the medicines and drugs or drug products ~~or~~
61 ~~domestic remedies which~~ that are manufactured, packaged,
62 packed, made, sold, offered for sale, exposed for sale, or
63 kept for sale in this state; ~~and for this purpose shall have~~
64 ~~the right to enter~~

65 (2) Subject to subsection (c), enter and inspect during
66 business hours any pharmacy or any other place in this state
67 where medicines or drugs or drug products or proprietary
68 medicines are manufactured, packaged, packed, made, sold,
69 offered for sale, or kept for sale, whether or not licensed by
70 the board; and

71 (3) Inspect prescription files, prescription records,
72 poison registers, exempt narcotic registers, and any other
73 records pertaining to the filling and filing of prescriptions.

74 (c) Each A state drug investigator shall be subject to
75 the same restrictions as other law enforcement ~~officers of the~~
76 ~~law in~~ with regard to search and seizure. ~~They~~

77 (d) A state drug investigator shall report to the board
78 all violations of ~~the laws~~ law relating to pharmacy and all
79 rules ~~and regulations~~ of the board. As directed by the board,
80 ~~it shall be the duty of the state drug investigators to issue~~
81 ~~citations~~ a state drug investigator shall issue written
82 warnings for violations of such laws, or rules, ~~or regulations~~
83 or institute criminal proceedings against persons for such
84 violations.



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85 (e) When authorized by the board and where there are
86 specific complaints, ~~the a state drug investigator shall have~~
87 ~~the right to~~ may inspect all records, shipping tickets, or any
88 other document pertaining to the transfer of drugs or drug
89 preparations, from or to hospitals, pharmacists, wholesale
90 establishments and manufacturers, or any other place or
91 establishment where the preparations of drugs are kept or
92 stored. ~~They shall have the authority to inspect all~~
93 ~~prescription files, prescription record books, poison~~
94 ~~registers, exempt narcotic registers, and any other records~~
95 ~~pertaining to the filling and filing of prescriptions. It~~
96 ~~shall be the duty of the~~

97 (f) A state drug investigator ~~to~~ shall take possession
98 of all revoked licenses and permits or suspended licenses and
99 permits, or both, when such licenses and permits are not
100 surrendered voluntarily to the board by the ~~person or~~
101 ~~pharmacist~~ individual or entity whose license or permit has
102 been revoked or suspended.

103 (g) Nothing in this chapter shall authorize or require
104 ~~the a state drug investigator or state drug investigators~~ to
105 inspect the offices of ~~doctors of medicine~~ physicians who have
106 duly qualified with the State Board of Medical Examiners."

107 "§34-23-8

108 (a) No person shall dispense or cause to be dispensed a
109 different drug or brand of drug in lieu of that ordered or
110 prescribed without the express permission in each case of the
111 person ordering or prescribing such drug, except as provided
112 below:



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113 (1) A licensed pharmacist ~~in this state~~ shall be
114 permitted to select for the brand name drug product prescribed
115 by a licensed physician or other practitioner who is located
116 in this state and authorized by law to write prescriptions,
117 hereinafter referred to as "practitioner," a less expensive
118 pharmaceutically and therapeutically equivalent drug product
119 containing the same active ingredient or ingredients, and of
120 the same dosage form strength, in all cases where the
121 practitioner expressly authorizes such selection in accordance
122 with subdivision (4).

123 (2) A licensed pharmacist ~~located in this state~~ shall
124 be permitted to select for the brand name drug product
125 prescribed by a practitioner who is located in another state
126 or licensing jurisdiction and who is authorized by the laws of
127 that state or jurisdiction to write prescriptions, a less
128 expensive pharmaceutically and therapeutically equivalent drug
129 product containing the same active ingredient or ingredients,
130 and of the same dosage form strength, in all cases where the
131 out-of-state licensed physician or other practitioner does not
132 expressly prohibit a substitution.

133 (3) A pharmacist shall record on the prescription form
134 the name and manufacturer or distributor of any drug product
135 dispensed as herein authorized.

136 (4)a. Every written prescription issued in this state
137 by a licensed practitioner shall contain two signature lines.
138 One line shall indicate if the brand name is meant to be
139 dispensed and the other shall indicate if a product selection
140 is permitted. The practitioner shall communicate instructions



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141 to the pharmacist by signing on the appropriate line.

142 b. An oral or electronic prescription, including an
143 e-fax, from the practitioner shall instruct the pharmacist
144 whether or not a less expensive pharmaceutically and
145 therapeutically equivalent drug product may be dispensed. The
146 pharmacist shall note instructions on the file copy of the
147 prescription and retain the prescription form for the period
148 specified by law. The ~~State Board of Pharmacy~~ board shall not
149 adopt any rule affecting the subject matter of this
150 subdivision.

151 (5) Unless otherwise indicated by the practitioner, the
152 prescription label on the dispensing container shall indicate
153 the actual drug product dispensed, either the brand name, or
154 if none, the generic name, and the name of the manufacturer or
155 a reasonable abbreviation of the name of the manufacturer.

156 ~~(6) (b) This Subsection (a) shall not be interpreted to~~
157 ~~exclude the use of a formulary or drug list as adopted and~~
158 ~~approved by a medical staff in a licensed hospital with drugs~~
159 ~~provided thereunder by procedures established for use within~~
160 ~~that licensed hospital.~~

161 ~~(7) Any person who violates this section shall be~~
162 ~~punished by a fine of up to \$1,000."~~

163 "§34-23-12

164 ~~(a) When it shall appear to the board that any person~~
165 ~~who is not licensed under the provisions of this chapter is~~
166 ~~violating any of the provisions of this chapter, the~~ The board
167 may ~~in its own name~~ bring an action in the circuit court for
168 an injunction, ~~and the court of this state~~ against any person



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169 in this state who:

170 (1) Practices pharmacy without a license or permits
171 prescriptions to be compounded or dispensed by a person who is
172 not licensed to practice pharmacy, in violation of Section
173 34-23-50;

174 (2) Operates a pharmacy or other entity without a
175 permit, in violation of Section 34-23-30, 34-23-31, or
176 34-23-32; or

177 (3) Performs pharmacy technician functions without a
178 valid pharmacy technician registration.

179 (b) A court may enjoin any person from violating the
180 provisions of this chapter regardless of whether proceedings
181 have been or may be instituted before the board or whether
182 criminal proceedings have been or may be instituted."

183 "§34-23-13

184 Any person who shall practiceA person who does any of
185 the following, unless a penalty is otherwise specifically
186 provided in this chapter, is guilty of a Class B misdemeanor:

187 (1) Practices pharmacy in this state without having
188 first obtained from the board a license, or who permits from
189 the board.

190 (2) Permits prescriptions to be compounded and/or or
191 dispensed by unauthorized persons.; or who violates any of the
192 provisions of this chapter; or who willfully

193 (3) Willfully violates any published provision of this
194 chapter or rule or regulation of adopted by the board; or who
195 does any act described in this chapter as unlawful, the
196 penalty for which is not herein specifically provided, shall



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197 ~~be guilty of a misdemeanor and, upon conviction, shall be~~
198 ~~punished by fine of not more than \$1,000 for each offense, to~~
199 ~~be fixed by the court trying the case, and in addition thereto~~
200 ~~may be, in the discretion of the court trying the case,~~
201 ~~sentenced to hard labor for the county for a period not to~~
202 ~~exceed 12 months."~~

203 "§34-23-30

204 (a) Every pharmacy, hospital pharmacy, drugstore,
205 pharmacy department, prescription department, prescription
206 laboratory, apothecary, ~~or~~ and any other ~~establishment~~ entity
207 with a title implying the sale, offering for sale,
208 compounding, or dispensing of drugs, ~~or~~ and any entity
209 providing pharmacy services for patients residing in this
210 state, shall register biennially and receive a permit from the
211 board in accordance with this chapter. Any person desiring to
212 ~~open, operate, maintain, or establish~~ a pharmacy or to
213 establish an entity to provide pharmacy services shall apply
214 to the board for a permit at least 30 days prior to the
215 opening of the business. No pharmacy or entity performing
216 pharmacy services shall ~~open for the transaction of be~~
217 authorized to transact business until ~~it~~ the pharmacy or
218 entity has been registered, inspected, and had a permit issued
219 by the board.

220 (b) (1) The application for a permit shall be made on a
221 form prescribed and furnished by the board which when properly
222 executed shall indicate the ownership desiring ~~such~~ the permit
223 and the names and license numbers of all licensed pharmacists
224 employed as well as the location of the pharmacy or entity



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225 where pharmacy services are performed and other information as
226 the board may require. If more than one pharmacy or entity
227 where pharmacy services are performed is operated by the same
228 owner, a separate application for registration shall be made
229 and a separate permit issued for each ~~such establishment~~
230 entity.

231 (2) ~~All permits issued under this section shall become~~
232 ~~due on October 31 and shall become null and void on December~~
233 ~~31 of even-numbered years. Every application for a permit for~~
234 ~~a new pharmacy or entity where pharmacy services are performed~~
235 ~~shall be accompanied by a fee to be ~~determined~~set by the~~
236 ~~board, by rule, but the fee shall not be less than one~~
237 ~~hundred dollars (\$100) nor more than two hundred dollars~~
238 ~~(\$200). Every application for a renewal permit shall be~~
239 ~~accompanied by a fee to be determined by the board, but the~~
240 ~~fee shall not be less than fifty dollars (\$50) nor more than~~
241 ~~one hundred fifty dollars (\$150). Every application for a~~
242 ~~permit due to transfer of ownership shall be accompanied by a~~
243 ~~fee to be determined by the board, but the fee shall not be~~
244 ~~less than one hundred fifty dollars (\$150) nor more than four~~
245 ~~hundred dollars (\$400). Every application for a permit for an~~
246 ~~out-of-state pharmacy or entity where pharmacy services are~~
247 ~~performed shall be accompanied by a fee to be determined by~~
248 ~~the board, but the fee shall not be less than seven hundred~~
249 ~~fifty dollars (\$750) nor more than two thousand dollars~~
250 ~~(\$2,000). Every application for a renewal permit for an~~
251 ~~out-of-state pharmacy or entity where pharmacy services are~~
252 ~~performed shall be accompanied by a fee to be determined by~~



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253 ~~the board, but the fee shall not be less than four hundred~~
254 ~~dollars (\$400) nor more than seven hundred fifty dollars~~
255 ~~(\$750). Each application for the renewal of a permit shall be~~
256 ~~made on or before October 31 of each even-numbered year, at~~
257 ~~which time the previous permit shall become null and void on~~
258 ~~December 31 of even-numbered years. A penalty of twenty-five~~
259 ~~dollars (\$25) for each overdue month shall be assessed in~~
260 ~~addition to the permit fee for renewal of delinquent permits.~~

261 (3) The secretary of the board shall issue a permit for
262 each pharmacy or entity where pharmacy services are performed
263 whose application is found to be satisfactory by the board.
264 Permits issued under this section shall not be transferable.
265 Any change in the control of ownership or licensed pharmacists
266 shall be reported to the board in writing within 10 days of
267 such occurrence. If the pharmacy or entity where pharmacy
268 services are performed is owned by a corporation, the permit
269 shall be issued in the name of the corporation. ~~It shall be~~
270 ~~the duty of the owners~~ Owners of pharmacies or the owners of
271 entities where pharmacy services are performed who are not
272 licensed pharmacists ~~to~~ shall immediately notify the board
273 upon the termination of employment of licensed pharmacists and
274 ~~to~~ shall cause the surrender of permits as indicated. The
275 further operation of the pharmacy or entity where pharmacy
276 services are performed in the absence of licensed pharmacists
277 is forbidden; provided, that the nonregistered owner shall
278 have a period of 30 days within which to comply with this
279 subsection. The next of kin of any deceased licensed
280 pharmacist owner shall have a period of 30 days within which



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281 to comply with this chapter, during which time no
282 prescriptions ~~shall~~may be filled unless a licensed pharmacist
283 is on duty.

284 (4) All permits issued under this section shall expire
285 on December 31 of even-numbered years unless the permit holder
286 renews the permit by paying the applicable renewal fee. The
287 renewal fee is due on December 31, and if not received by that
288 date, the permit shall be considered delinquent and the board
289 may impose a late fee of twenty-five dollars (\$25) for each
290 month the renewal fee is late, provided a delinquency fee may
291 not exceed one thousand dollars (\$1,000). The board may also
292 suspend a permit that is not renewed within a prescribed
293 period of time, as determined by rule of the board.

294 (c) The board, by rule, shall set the following fees on
295 the holders of permits issued under this section:

296 (1) For a permit for a resident pharmacy or resident
297 entity that performs pharmacy services, a fee of not less than
298 one hundred dollars (\$100) nor more than five hundred dollars
299 (\$500).

300 (2) For a resident pharmacy permit renewal, a fee of
301 not less than one hundred dollars (\$100) nor more than three
302 hundred dollars (\$300).

303 (3) For a transfer of ownership, a fee of not less than
304 one hundred fifty dollars (\$150) nor more than four hundred
305 dollars (\$400).

306 (4) For a permit for a nonresident pharmacy or
307 nonresident entity that performs pharmacy services, a fee of
308 not less than seven hundred fifty dollars (\$750) nor more than



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309 two thousand dollars (\$2,000).

310 (5) For a renewal permit for a nonresident pharmacy or
311 nonresident entity that performs pharmacy services, a fee of
312 not less than four hundred dollars (\$400) nor more than seven
313 hundred fifty dollars (\$750).

314 (d) No mail order pharmacy shall transact business in
315 this state without a permit from the board.

316 ~~(b) (e) Requirements for the grant of authority by the~~
317 ~~board to any entity providing pharmacy services shall be by~~
318 ~~board rule~~ The board, by rule, shall establish qualifications
319 for any individual or entity providing pharmacy services in
320 the state.

321 ~~(e) (f) Nothing contained in this section related to~~
322 ~~pharmacy services permits shall be interpreted to delegate to~~
323 ~~the board the authority to adopt rules governing pharmacy~~
324 ~~benefit~~ benefits managers.

325 ~~(d) Any person who violates this section shall be~~
326 ~~guilty of a misdemeanor."~~

327 "§34-23-32.2

328 (a) Any requirements established by the FDA Guidelines
329 in the Drug Quality and Security Act shall be adhered to by
330 the affected parties.

331 (b) (1) The board may issue an annual permit to any
332 manufacturer, manufacturer affiliate, bottler, packager,
333 repackager, ~~third party~~ third-party logistic provider,
334 wholesale drug distributor, private label distributor, or
335 pharmacy business identified in the supply chain of any drugs,
336 legend drugs, medicines, chemicals, or poisons for medicinal



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337 purposes.

338 (2) The board, by rule, shall establish fees for the
339 various categories of permits issued under this section~~and~~
340 finer for violations of this section of not less than five
341 hundred dollars (\$500) nor more than two thousand dollars
342 (\$2,000). In addition, the board, by rule, may establish
343 renewal fees and late fees for failure to renew a permit in a
344 timely manner. Proceeds received by the board from fees levied
345 ~~and fines~~ collected pursuant to this section shall be used by
346 the board to fund the costs of permitting, inspecting, and
347 investigating any business permitted pursuant to this
348 section."

349 "§34-23-33

350 (a) The board may revoke~~r~~ or suspend a license,
351 permit, certificate, or registration, place on probation, ~~or~~
352 require remediation ~~for any licensed pharmacist or a holder of~~
353 ~~a pharmacy intern or extern certificate for a specified time~~
354 ~~as determined by the board and take the same or similar action~~
355 ~~against the permit to operate any pharmacy in this state,~~ or
356 impose monetary penalties in accordance with subsection (b)
357 against any person who holds a license, permit, certificate,
358 or registration issued by the board whenever the board finds
359 by a preponderance of the evidence, or pursuant to a consent
360 decree, ~~that the pharmacist has been guilty of any of the~~
361 ~~following acts or offenses~~ any of the following:

362 (1) Obtaining a license, permit, certificate, or
363 registration from the board by fraudulent means.

364 (2) ~~Violation of the laws~~ Violating any law regulating



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365 the sale or dispensing of narcotics, exempt narcotics, or
366 drugs bearing the label "caution, federal law prohibits
367 dispensing without prescription," or similar wording which
368 causes the drugs to be classified as prescription legend
369 drugs.

370 (3) Conviction of a felony. A copy of the record of the
371 conviction, certified by the clerk of the court entering the
372 conviction, shall be conclusive evidence of the conviction.

373 (4) Conviction of any crime or offense that reflects
374 the inability of the practitioner to practice pharmacy with
375 due regard for the health and safety of the patients.

376 (5) Demonstrated inability ~~Inability~~ to practice
377 pharmacy with reasonable skill and safety to patients by
378 reason of illness, ~~inebriation~~ intoxication, misuse of drugs,
379 narcotics, alcohol, chemicals, or any other substance, or as a
380 result of any mental or physical condition. When the issue is
381 whether or not a pharmacist is physically or mentally capable
382 of practicing pharmacy with reasonable skill and safety to
383 patients, then, upon a showing of probable cause to the board
384 that the pharmacist is not capable of practicing pharmacy with
385 reasonable skill and safety to patients, the board may require
386 the pharmacist in question to submit to a psychological
387 examination by a psychologist to determine psychological
388 status or a physical examination by a physician, or both, to
389 determine physical condition. The psychologist or physician,
390 or both, shall be designated by the board. The expense of the
391 examination shall be borne by the board. Where the pharmacist
392 raises the issue of mental or physical competence or appeals a



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393 decision regarding his or her mental or physical competence,
394 the pharmacist shall be permitted to obtain his or her own
395 evaluation at the pharmacist's expense. If the objectivity or
396 adequacy of the examination is suspect, the board may complete
397 the examination by the designated practitioners at its own
398 expense. When mental or physical capacity to practice is at
399 issue, every pharmacist licensed to practice pharmacy in the
400 state shall be deemed to have given consent to submit to a
401 mental or physical examination or to any combination of the
402 examinations and to waive all objections to the admissibility
403 of the examination, or to previously adjudicated evidence of
404 mental incompetence.

405 (6) Gross malpractice or repeated malpractice or gross
406 negligence in the practice of pharmacy.

407 (7) Violation of any provisions contained in this
408 chapter or rule of the board.

409 (8) Employing, assisting, or enabling in any manner any
410 unlicensed person to practice pharmacy.

411 (9) The suspension, revocation, or probation by another
412 state of a license to practice pharmacy. A certified copy of
413 the record of suspension, revocation, or probation of the
414 state ~~making such a~~ imposing the suspension, revocation, or
415 probation shall be conclusive evidence of the suspension,
416 revocation, or probation. This subdivision does not authorize
417 the board to take any disciplinary action, including
418 imposition of a monetary penalty, against any individual or
419 entity that has not been issued a license, permit,
420 certificate, or registration by the board and has not violated



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421 any provision of this chapter or rule of the board.

422 (10) Refusal to appear before the board after having
423 been ordered to do so in writing by the ~~executive officer~~
424 secretary or chair of the board.

425 (11) Making any fraudulent or untrue statement to the
426 board.

427 ~~(12) Violation of any rule or regulation of the board.~~

428 ~~(13)~~ (12) Violation of the code of professional conduct
429 adopted by the board in the rules and regulations of the
430 board.

431 (b) (1) The board ~~shall have the authority to adopt~~
432 ~~rules imposing a non-disciplinary administrative penalty for~~
433 ~~designated violations of this chapter~~ may impose monetary
434 penalties in the form of civil penalties for disciplinary
435 violations and administrative fines for non-disciplinary
436 violations of this chapter and rules of the board, as
437 determined by the board.

438 (2) The board, by rule, shall adopt a monetary penalty
439 schedule or schedules, which shall include both civil
440 penalties and administrative fines, and which may be dollar
441 amount ranges based on the underlying violation. After the
442 rule is certified, the board shall publish the monetary
443 penalty schedule or schedules on the board's website.
444 Beginning January 1, 2026, the board may not impose any
445 monetary penalty unless the monetary penalty is covered and
446 addressed by a monetary penalty schedule formally adopted by
447 rule.

448 (3) When determining the amount of a monetary penalty



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449 for a specific violation, the board shall consider the level
450 and scope of misconduct, the level of risk to public health
451 and safety, the compliance history of the violator, and if the
452 violator is an entity, the size of the business, including its
453 annual revenues."

454 "§34-23-34

455 No disciplinary action described in Section 34-23-33
456 relating to the license, registration, certificate, or permit
457 of any ~~person~~ individual or entity regulated by the board may
458 be taken unless a statement of charges and notice of hearing
459 has been served on the ~~person~~ individual or entity at least 30
460 days before the date fixed for the hearing. The board, at its
461 sole discretion, may serve the statement of charges by
462 personal service or by registered or certified mail or
463 delivery by any recognized delivery or courier service to the
464 address of the ~~person~~ individual or entity in the records of
465 the board. The burden of proof shall be on the board."

466 "§34-23-52

467 (a) (1) All certificates of licensure shall expire on
468 December 31 of even-numbered years. ~~In order to continue to be~~
469 ~~licensed, every~~ unless a licensed pharmacist ~~shall pay to the~~
470 ~~secretary of the board a biennial~~ pays a renewal fee ~~to be~~
471 ~~determined~~ in a specified amount set by the board, by rule.
472 ~~but the~~ The fee shall not be less than twenty-five dollars
473 (\$25) nor more than one hundred fifty dollars (\$150). The
474 renewal fee shall be due on ~~October~~ December 31 and ~~delinquent~~
475 ~~after December 31 of even-numbered years, except that holders~~
476 ~~of life certificates to practice pharmacy previously issued~~



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477 ~~shall not be required to pay a renewal fee. The payment of the~~
478 ~~renewal fee shall entitle the registrants to renewal of their~~
479 ~~certificates at the discretion of the board. If any pharmacist~~
480 ~~fails to pay a the renewal fee ~~on or before the due date,~~ the~~
481 ~~holder of the certificate may be reinstated as a licensed~~
482 ~~pharmacist only upon payment of a penalty of ten dollars (\$10)~~
483 ~~for each lapsed month and all lapsed fees, provided by~~
484 December 31, the board in accordance with board rule, may
485 impose a late fee which may not exceed ten dollars (\$10) for
486 each lapsed month. Notwithstanding the foregoing, the lapsed
487 time of registration may not exceed five years, in which case
488 reinstatement may occur only upon satisfactory examination by
489 the board.

490 (2) Notwithstanding subdivision (1), holders of life
491 certificates to practice pharmacy previously issued shall not
492 be required to pay a renewal fee.

493 (b) In addition to any fee requirements, each
494 pharmacist shall be required to complete continuing education
495 for each renewal period, as determined by the board by rule."

496 "§34-23-90

497 (a) The Alabama State Board of Pharmacy is created and
498 vested with the authority to carry out the purposes of and
499 enforce this chapter.

500 (b) (1) The Beginning October 1, 2025, the board shall
501 consist of ~~five~~ members who are residents of this state
502 appointed in a manner that ensures that each congressional
503 district in the state is represented by a board member who
504 resides in that district during his or her entire term of



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505 office. Subject to subdivision (3), membership of the board
506 shall be as follows:

507 a. One hospital pharmacist licensed by the board who is
508 appointed by the Governor from a list of three names submitted
509 by the Alabama Society of Health System Pharmacists.

510 b. One chain pharmacist licensed by the board who is
511 appointed by the Governor from a list of three names submitted
512 from the Alabama Pharmacy Association.

513 c. One independent pharmacist licensed by the board who
514 is appointed by the Lieutenant Governor from a list of three
515 names submitted from the Alabama Pharmacy Association.

516 d. One specialty pharmacist, such as a nuclear, home
517 infusion, compounding only, or consultant pharmacist, licensed
518 by the board who is appointed by the Speaker of the House of
519 Representatives from a list of three names submitted from the
520 Alabama Pharmacy Association.

521 e. One institutional pharmacist, such as a
522 non-hospital, nursing home, assisted living, or prison
523 pharmacist, licensed by the board who is appointed by the
524 President Pro Tempore of the Senate from a list of three names
525 submitted from the Alabama Society of Health System
526 Pharmacists.

527 f. One academic pharmacist licensed by the board who is
528 appointed by the Lieutenant Governor from a list of four
529 names, with two names each submitted from the two state
530 pharmacy schools.

531 g. One at-large pharmacist licensed by the board
532 appointed by the Speaker of the House of Representatives from



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533 a list of three names submitted from the Alabama Pharmacy
534 Association.

535 h. One registered pharmacy technician licensed by the
536 board appointed by the President Pro Tempore of the Senate
537 from a list of three names submitted from the Alabama Pharmacy
538 Association.

539 i. One at-large consumer who is appointed by the
540 Governor. ~~The members of the board shall be licensed~~
541 ~~pharmacists who have been licensed in this state for a minimum~~
542 ~~of five years and who are actively engaged in the practice of~~
543 ~~pharmacy or pharmacy administration, or both.~~

544 ~~(b) Three members shall be appointed by the Governor.~~
545 ~~Of the three appointed members, one member shall be engaged in~~
546 ~~the practice of pharmacy or pharmacy administration, or both,~~
547 ~~in a hospital, one in an independent pharmacy, and one in a~~
548 ~~chain pharmacy. On or before August 1, 1996, and each five~~
549 ~~years thereafter, or whenever a vacancy occurs in the~~
550 ~~designated position for hospital pharmacists, the Alabama~~
551 ~~Society of Health System Pharmacists, or its successor~~
552 ~~organization, shall submit a list of three nominees to the~~
553 ~~Governor. On or before August 1, 1994, and each five years~~
554 ~~thereafter, or whenever a vacancy occurs in the designated~~
555 ~~position for a chain pharmacist, the Alabama Pharmacy~~
556 ~~Association, or its successor organization, shall submit a~~
557 ~~list of three nominees to the Governor. On or before August 1,~~
558 ~~1997, and each five years thereafter, or whenever a vacancy~~
559 ~~occurs in the designated position for the independent~~
560 ~~pharmacist, the independent pharmacist members of the Alabama~~



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561 ~~Pharmacy Association, or its successor organization, shall~~
562 ~~submit a list of three nominees to the Governor. From the~~
563 ~~names submitted to the Governor, the Governor shall appoint a~~
564 ~~replacement on or before December 31 of the same year the~~
565 ~~nominations are received, for the member or members whose term~~
566 ~~or terms are expiring. Background information shall be~~
567 ~~provided for each nominee for an appointed position.~~

568 ~~(c) (1) On or before December 1, 1995, and each five~~
569 ~~years thereafter, and on or before December 1, 1998, and each~~
570 ~~five years thereafter, or whenever a vacancy occurs in a~~
571 ~~nondesignated position, the Board of Trustees of the Alabama~~
572 ~~Pharmacy Association, or its successor organization, shall~~
573 ~~select a committee of five pharmacists who are members of the~~
574 ~~association to serve as a nominating committee. No member of~~
575 ~~the nominating committee shall be a candidate. The committee~~
576 ~~shall receive names of pharmacists actively engaged in~~
577 ~~pharmacy practice or administration, or both, from companies~~
578 ~~and individuals, and shall narrow the list of nominees to two~~
579 ~~names to be placed on a ballot to be voted on by all Alabama~~
580 ~~pharmacists.~~

581 ~~(2) The election procedure for a nondesignated slot~~
582 ~~shall be as follows: Each candidate shall provide a~~
583 ~~biographical sketch of not more than 150 words, which shall~~
584 ~~include his or her most recent practice experience. The board~~
585 ~~shall select a third party to conduct the election and~~
586 ~~tabulate the ballot results. The election ballots and a~~
587 ~~biographical sketch of the candidates shall be delivered by~~
588 ~~the third party to Alabama licensed pharmacists by September~~



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589 ~~1. The ballot delivery shall be conducted in a secure manner~~
590 ~~to safeguard organizational data and to ensure the integrity~~
591 ~~of the voting process. Completed election ballots must be~~
592 ~~received by the third party no later than October 1 to be~~
593 ~~tabulated. A pharmacist receiving a majority of the ballots~~
594 ~~received shall be considered the winner. If a runoff election~~
595 ~~is necessary, the runoff ballots shall be delivered to~~
596 ~~licensed pharmacists by November 1 by the same method of~~
597 ~~ballot delivery as provided above. Completed runoff election~~
598 ~~ballots must be received by the third party no later than~~
599 ~~December 1 to be tabulated.~~

600 ~~(3) The ballots for each election shall be tabulated by~~
601 ~~the third party and the results shall be certified and audited~~
602 ~~by the third party. The results of the tabulation and audit~~
603 ~~shall be made available to any candidate and to the nominating~~
604 ~~body upon request.~~

605 (2) The pharmacist members of the board shall be
606 licensed pharmacists who have been licensed in this state for
607 a minimum of five years and who are actively engaged in the
608 practice of pharmacy or pharmacy administration, or both. The
609 pharmacy technician member of the board shall be a nationally
610 certified technician who has been registered in this state for
611 a minimum of five years and who is actively engaged in the
612 practice as a pharmacy technician.

613 (3) Any member serving on the board on October 1, 2025,
614 shall continue to serve until his or her term expires, at
615 which time the Governor shall appoint a member who meets the
616 requirements in subdivision (1). A member serving on the board



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617 on October 1, 2025, who meets the requirements of subdivision
618 (1) may be reappointed to an additional term, provided the
619 reappointment complies with subsection (d).

620 (4) The appointing authorities shall coordinate their
621 appointments to assure that board membership is inclusive and
622 reflects the racial, gender, urban, rural, and economic
623 diversity of the state.

624 (5) For the four additional members of the board whose
625 term begins October 1, 2025, the Governor shall set staggered
626 terms of two years, three years, and four years, at his or her
627 discretion, with all initial terms ending on December 31 of
628 the respective terms. Following initial terms, each member of
629 the board shall serve a term of five years beginning on
630 January 1 following appointment and terminating on December 31
631 of his or her fifth year as a member of the board.

632 ~~(d)(c) Any vacancies occurring on the board other than~~
633 ~~by expiration of term shall be filled by election or~~
634 ~~appointment only for the unexpired term and shall be filled by~~
635 ~~the same procedure that the replaced member was elected or~~
636 ~~appointed by the respective appointing authority for the~~
637 ~~unexpired term. Each member of the board shall serve a term of~~
638 ~~five years beginning on January 1 following appointment and~~
639 ~~terminating on December 31 of his or her fifth year as a~~
640 ~~member of the board.~~

641 ~~(e)(d) No pharmacist member shall serve more than two~~
642 ~~full terms consecutively.~~

643 ~~(f)(e) (1) The Governor, upon recommendation of the~~
644 ~~board, may remove a member of the board upon proven charges of~~



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645 inefficiency, incompetency, immorality, or professional
646 misconduct. The replacement member shall be ~~elected or~~
647 appointed by the ~~same procedure that the removed member was~~
648 ~~elected or appointed~~ respective appointing authority for the
649 unexpired term.

650 (2) Appointees to the board, within 30 days after their
651 appointment ~~or election~~, shall take an oath or make
652 affirmation before a properly qualified officer that he or she
653 will faithfully and impartially perform the duties of his or
654 her office. This oath or affirmation shall be filed with the
655 Secretary of State.

656 (3) At its last regular meeting in each calendar year,
657 the board shall elect for a term of one year, effective the
658 following January 1, a president, a ~~vice-president~~ vice
659 president, and a treasurer who shall be pharmacist members of
660 the board. No member shall serve more than two years in the
661 same office on the board during a five-year term.

662 (4) a. The Not later than November 1, 2025, the board
663 shall also elect a secretary who shall appoint a secretary as
664 executive officer to the board, to serve at the pleasure of
665 the board. The individual appointed by the board may not have
666 served in any capacity for the board, including as secretary,
667 during the five years prior to his or her appointment. The
668 secretary may not serve as a member of the board and may not
669 be employed during the service by any person holding a
670 license, permit, certificate, or registration issued by the
671 board., and the

672 b. The board shall have the authority to fix the amount



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673 ~~of the secretary's remuneration. If a board member is selected~~
674 ~~as secretary, the board member shall resign from the board and~~
675 ~~a replacement on the board shall be selected by the same~~
676 ~~procedure by which the resigned member was originally elected~~
677 ~~or appointed salary. The secretary shall not be employed~~
678 ~~during the service by any registrant of the board.~~

679 ~~(g) For the purpose of this section, a chain pharmacy~~
680 ~~is defined as any retail pharmacy employing in Alabama a~~
681 ~~minimum of 40 full-time equivalent pharmacists. A chain~~
682 ~~pharmacist is defined as a pharmacist employed on a full-time~~
683 ~~basis by a chain pharmacy for a minimum of three years.~~

684 ~~(h) It is the intent of the Legislature that the~~
685 ~~composition of the board reflect the demographics of the~~
686 ~~pharmacy profession. For vacancies occurring after March 18,~~
687 ~~2005, the nominating organizations and the appointing~~
688 ~~authorities shall select those individuals whose appointments~~
689 ~~assure that the membership of the board is inclusive and~~
690 ~~reflects the racial, gender, geographic, urban/rural, and~~
691 ~~economic diversity of this state."~~

692 "§34-23-91

693 ~~(a) The president of the board shall preside at all of~~
694 ~~the board's meetings. The vice-president shall preside in the~~
695 ~~absence or inability of the president. The secretary of the~~
696 ~~board shall be the executive officer in charge of the board's~~
697 ~~office. The secretary shall make, keep, and be in charge of~~
698 ~~all records and record books required to be kept by the board,~~
699 ~~including a register containing all information which shall be~~
700 ~~required under this chapter. The secretary shall attend to the~~



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701 correspondence of the board and perform any other duties the
702 board may require in keeping with the office of secretary. The
703 secretary shall receive and record all fees collected under
704 this chapter and, at regular intervals as ordered by the
705 board, shall pay the fees to the treasurer of the board for
706 its use. The secretary may have any forms printed and office
707 supplies furnished as necessary to implement this chapter. The
708 secretary and treasurer of the board shall each furnish bond
709 in an amount to be fixed by the board and shall be conditioned
710 upon the faithful performance and discharge of their
711 respective official duties.

712 (b) The While serving on business of the board and from
713 funds of the board, members shall be entitled to a per diem of
714 five hundred dollars (\$500) per day for days when members
715 actually engage in official business of the board. In
716 addition, members of the board shall be paid the same per diem
717 and travel allowance entitled to actual expenses incurred as
718 is paid by law to state employees while engaged in the
719 performance of the duties official business of the board, in
720 addition to any daily compensation or allowance determined by
721 the board. For purposes of this subsection, attending
722 continuing education classes or otherwise engaging in an
723 activity necessary solely to maintain a member's license to
724 practice pharmacy or registration to practice as a pharmacy
725 technician is not considered official business of the board.

726 (c) The board shall conduct meetings at least three
727 times annually and more often when deemed necessary for the
728 examination of applicants for licensure and for the



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729 transaction of business as may legally come before ~~it~~the
730 board. Public notice of all ~~stated~~ meetings shall ~~be given at~~
731 ~~least 30 days in advance of the meetings~~ comply with the Open
732 Meetings Act. At all meetings of the board, a majority shall
733 constitute a quorum. The members of the board shall determine
734 the place of meetings of the board.

735 (d) The treasurer of the board shall have custody of
736 all funds derived from the various provisions of this chapter.
737 All disbursements shall be made by check as authorized by
738 vouchers signed by the president and secretary of the board.
739 The books and records of the board as made and kept by the
740 secretary or under his or her supervision shall be prima facie
741 evidence of the matter therein recorded in any court."

742 "§34-23-92

743 The board ~~shall exercise, subject to this chapter,~~
744 shall do all of the following powers and duties:

745 (1) ~~To adopt~~ Adopt rules concerning the records and
746 reports to be kept and made by a pharmacy relating to the
747 filling of prescriptions and the handling and preservation of
748 drugs.

749 (2) ~~To fix~~ Fix standards and requirements for licenses
750 and permits except as otherwise specified in this chapter.

751 (3) Set penalties as further provided in Section
752 34-23-33(b).

753 (4) Set fees, by rule, for licenses, permits,
754 certificates, and registrations as well as renewal fees, late
755 fees, delinquency fees, and reinstatement fees as required
756 under this chapter, which shall be in a specific amount that



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757 shall apply uniformly to all holders of the applicable
758 license, permit, certificate, or registration to which the fee
759 pertains. This subdivision does not authorize the board to
760 impose monetary penalties in addition to a late fee,
761 delinquency fee, or reinstatement fee imposed by the board for
762 failure to timely renew a license, permit, certificate, or
763 registration.

764 ~~(3) (5) To make Adopt rules and regulations regarding~~
765 sanitation consistent with state health regulations.

766 ~~(4) (6) To employ such Employ chemists, agents, clerical~~
767 ~~help, and attorneys, and other personnel as necessary for the~~
768 proper administration of the duties of the board.

769 ~~(5) (7) To employ Employ under the supervision of the~~
770 ~~board a Chief Drug Investigator chief drug investigator and~~
771 ~~such other state drug investigators that ~~it~~ the board deems~~
772 necessary to enforce this chapter ~~which are under the~~
773 ~~supervision of the board.~~

774 ~~(6) (8) To adopt Adopt rules and regulations for the~~
775 administration and enforcement of this chapter, ~~and not~~
776 ~~inconsistent herewith. Such rules and regulations shall be~~
777 ~~referenced to the section or sections of this chapter which~~
778 ~~set forth the legislative standard which it interprets or to~~
779 ~~which it applies. Every such rule and regulation shall be~~
780 ~~adopted~~ The board shall adopt all rules in accordance with the
781 Alabama Administrative Procedure Act. A copy of every rule ~~and~~
782 ~~regulation~~ containing a requirement of general application
783 shall be electronically mailed to each registered pharmacist
784 at least 10 days before the effective date ~~thereof~~ of the



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785 certified rule. A printed copy of ~~such~~ the rules and
786 ~~regulations~~ shall be mailed to any registered pharmacist upon
787 written request to the board.

788 ~~(7)~~ (9) ~~To investigate~~ Investigate alleged violations of
789 this chapter, any rule of the board, or any other law
790 pertaining to the practice of pharmacy that may come to the
791 knowledge of the board and:

792 a. institute ~~Institute~~ or cause to be instituted ~~before~~
793 ~~the board or~~ appropriate proceedings in a ~~proper~~ court
794 ~~appropriate proceedings in connection therewith~~ of competent
795 jurisdiction; or

796 b. Conduct hearings to revoke, suspend, or place on
797 probate any license, permit, certificate, or registration
798 granted by the board under this chapter, or impose monetary
799 penalties as further provided in Section 34-23-33, provided
800 any person subjected to a monetary penalty or other
801 disciplinary action may take an appeal in accordance with
802 Section 34-23-94.

803 ~~(8)~~ (10) ~~To issue~~ Issue subpoenas and compel the
804 attendance of witnesses and the production of all necessary
805 papers, books and records, documentary evidence and materials,
806 or other evidence in matters pending before the board relating
807 to the revocation, suspension, or probation of any license.
808 Those persons issued subpoenas and compelled to attend
809 hearings or meetings in matters pending before the board shall
810 be entitled to witness fees from board funds. Claims for
811 witness fees shall be made on accepted State of Alabama
812 voucher forms as appropriate. Travel and mileage expenses



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813 shall be reimbursed to witnesses in the amounts officially
814 authorized to the board and its personnel at the time the
815 service to the board is performed.

816 ~~(9)~~ (11) ~~To administer~~ Administer oaths in connection
817 with the duties of the board.

818 ~~(10)~~ (12) ~~To make~~ Not later than November 1, submit a
819 written report annually of its receipts and disbursements
820 during the previous fiscal year to the Governor and to the
821 ~~State Pharmaceutical~~ Alabama Pharmacy Association. Included in
822 this report shall be the names of all registrants licensed to
823 practice under this chapter and a record of all permits issued
824 during the period covered by the report.

825 ~~(11)~~ (13) ~~To enforce~~ Enforce the state barbiturate act,
826 the state amphetamine act, the state narcotic law, and all
827 other laws of the state which pertain to the practice of
828 pharmacy, the examination of applicants, the licensing of
829 pharmacists, the manufacture, packaging, repackaging,
830 production, sale, or distribution of drugs, chemicals, and
831 poisons, and all laws pertaining to standards for their
832 strength and purity. The board may work in conjunction with
833 other law enforcement agencies to enforce any law pertaining
834 to the practice of pharmacy. Nothing in this ~~section~~
835 subdivision shall be construed to deprive the ~~State Board of~~
836 ~~Health~~ Alabama Department of Public Health of any powers or
837 duties otherwise prescribed by law including the enforcement
838 of the narcotic law.

839 ~~(12)~~ ~~To investigate alleged violations of this chapter~~
840 ~~or any rule or regulation published by the board and conduct~~



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841 ~~hearings to revoke, suspend, or probate any license or permit~~
842 ~~granted by the board under this chapter and to invoke~~
843 ~~penalties not to exceed the sum of one thousand dollars~~
844 ~~(\$1,000) for each violation and to institute any legal~~
845 ~~proceedings necessary to effect compliance with this chapter;~~
846 ~~provided, that any person, firm, or corporation subjected to~~
847 ~~such penalty or legal proceedings may take an appeal in~~
848 ~~accordance with Section 34-23-94.~~

849 (14) Cooperate and assist with prosecuting officers in
850 any proceeding involving an alleged criminal offense and
851 furnish prosecuting officers with any evidence the board, its
852 officers, or employees determine will assist in the
853 prosecution of a criminal offense.

854 ~~(13)~~(15) On application of any person and payment of
855 the actual cost thereof providing a certified copy, the
856 ~~secretary of the board shall furnish~~, under its seal and
857 signed by the secretary, a certified copy of the license or
858 permit of the ~~requestor~~requester, or a certified copy of a
859 ~~regulation or rule of the board~~. In any court or proceeding,
860 ~~such~~the copy shall be prima facie evidence of the fact of the
861 issuance of ~~such~~the permit or license and the adoption of
862 ~~such rule or regulation~~.

863 ~~(14)~~(16) ~~To acquire~~ Acquire by gift, grant, purchase,
864 condemnation, or otherwise, and to convey or hold title to,
865 real property, together with all rights incidental thereto."

866 "§34-23-93

867 (a) (1) The board and its members and officers shall
868 ~~assist prosecuting officers in the enforcement of this~~



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869 ~~chapter, and it shall be the duty of the board, its members~~
870 ~~and officers to furnish the proper prosecuting officers with~~
871 ~~such evidence as it or they may ascertain to assist them in~~
872 ~~the prosecution of any violation of this chapter, and the~~
873 ~~board is authorized for such purposes to make such reasonable~~
874 ~~expenditures from the funds of the board as it may deem~~
875 ~~necessary to ascertain and furnish such evidence. The Attorney~~
876 ~~General of the state shall be the attorney for the board, but~~
877 ~~the board may in its discretion employ other counsel. It shall~~
878 ~~be the duty of the district attorney of the judicial circuit~~
879 ~~wherein any offense is committed to prosecute violations of~~
880 ~~this chapter.~~

881 (2)a. Not later than November 1, 2025, the board shall
882 divide the office of general counsel into two distinct
883 divisions. One division shall be responsible for all
884 disciplinary functions, and the other division shall be
885 responsible for administrative nondisciplinary functions,
886 including providing advice to and answering questions from
887 holders of licenses, permits, certificates, or registrations
888 or prospective holders of licenses, permits, certificates or
889 registrations regarding statutory and regulatory compliance.

890 b. The board, by rule, shall establish internal
891 procedures that ensure that any inquiries made by the holder
892 of a license, permit, certificate, or registration or other
893 person seeking advice or guidance regarding compliance with a
894 statute or rule is addressed by the administrative division
895 and is not disclosed to the disciplinary division unless an
896 attorney reasonably believes a criminal violation may have



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897 occurred.

898 (b) The board may request assistance from the Attorney
899 General or other legal counsel employed by the board, as
900 appropriate. The Attorney General or other legal counsel shall
901 assist the board, upon request, in any action for injunction
902 brought by the board."

903 "§34-23-131

904 (a) A pharmacy technician shall not perform pharmacy
905 functions or be present in the prescription department of a
906 pharmacy unless he or she is under the direct supervision of a
907 licensed pharmacist. A pharmacy technician shall not perform
908 pharmacy functions or be present in the prescription
909 department of a pharmacy unless he or she is registered by the
910 board.

911 (b) When supervision is required, a licensed pharmacist
912 shall be jointly responsible and liable for the actions of a
913 pharmacy technician.

914 (c) (1) A pharmacy technician shall register and pay a
915 registration fee as determined in a specified amount set by
916 the board, by rule, before performing any pharmacy functions.
917 The fee shall be not less than twenty dollars (\$20) nor more
918 than sixty dollars (\$60). The board shall adopt rules relating
919 to the registration of all pharmacy technicians. The
920 registration of a pharmacy technician shall be renewable
921 biennially in odd-numbered years upon payment of the required
922 renewal fee.

923 (2) The registration of each pharmacy technician shall
924 expire on December 31 of odd-numbered years. ~~In order to~~



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925 ~~continue to be licensed, each~~ unless a registered pharmacy
926 technician ~~shall pay~~ pays a biennial renewal fee ~~of not~~ in a
927 specified amount set by the board by rule. The fee shall be
928 not less than twenty dollars (\$20), ~~as determined by rule of~~
929 ~~the board, the fee being~~ nor more than sixty dollars (\$60).
930 The renewal fee shall be due on ~~October~~ December 31 and
931 ~~delinquent after December 31~~ of odd-numbered years. The
932 ~~payment of the renewal fee shall entitle the pharmacy~~
933 ~~technician to renewal of his or her registration at the~~
934 ~~discretion of the board.~~ If any pharmacy technician fails to
935 pay the renewal fee ~~as required by this subsection, he or she~~
936 ~~may be reinstated as a pharmacy technician only upon payment~~
937 ~~of a penalty~~ by December 31, the board may impose a late fee ~~of~~
938 ~~not less than ten dollars (\$10) nor more than twenty dollars~~
939 ~~(\$20),~~ as determined by rule of the board, for each lapsed
940 year ~~and all lapsed fees for each lapsed year up to a maximum~~
941 ~~of five years of total penalties and lapsed fees~~ month.

942 (d) In addition to any other registration requirements,
943 a pharmacy technician shall complete three hours of continuing
944 education annually, or six hours biennially, of which one hour
945 per year shall be live presentation. The board may grant an
946 extension to a pharmacy technician who fails to complete the
947 required continuing education hours in the allotted time. A
948 pharmacy technician who fails to complete the annual
949 continuing education requirements in a timely manner shall be
950 subject to disciplinary action by the board."

951 Section 4. Not later than February 1, 2026, the board
952 shall submit a report to the respective chairs and vice chairs



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953 of the House Health and Senate Healthcare standing committees
954 and all members of the Sunset Committee and Legislative
955 Council. The report shall review all rules of the board and
956 identify those rules that conflict with Chapter 23 of Title
957 34, Code of Alabama 1975, with a plan for how to bring all
958 rules into compliance with Chapter 23 no later than October 1,
959 2026.

960 Section 5. The Legislature concurs in the
961 recommendations of the Sunset Committee as provided in
962 Sections 1 through 4.

963 Section 6. This act shall become effective immediately.



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House of Representatives

Read for the first time and referred04-Feb-25
to the House of Representatives
committee on Boards, Agencies and
Commissions

Read for the second time and placed18-Feb-25
on the calendar:
0 amendments

Read for the third time and passed20-Feb-25
as amended
Yeas 101
Nays 0
Abstains 1

John Treadwell
Clerk