

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 343

Session of
1985

INTRODUCED BY O'PAKE, BELL, STAPLETON, MELLOW, LYNCH AND
WILLIAMS, FEBRUARY 11, 1985

REFERRED TO CONSUMER PROTECTION AND PROFESSIONAL LICENSURE,
FEBRUARY 11, 1985

AN ACT

1 Amending the act of September 27, 1961 (P.L.1700, No.699),
2 entitled "An act relating to the regulation of the practice
3 of pharmacy, including the sales, use and distribution of
4 drugs and devices at retail; and amending, revising,
5 consolidating and repealing certain laws relating thereto,"
6 further providing for qualifications for license and for
7 suspension.

8 The General Assembly of the Commonwealth of Pennsylvania
9 hereby enacts as follows:

10 Section 1. Section 3(a) of the act of September 27, 1961
11 (P.L.1700, No.699), known as the Pharmacy Act, is amended by
12 adding a clause to read:

13 Section 3. Licensing of Pharmacists.--(a) The State Board
14 of Pharmacy may license as a pharmacist any person who has filed
15 an application therefor, subscribed by the person under oath or
16 affirmation, containing such information as the board may by
17 regulation require, and who--

18 * * *

19 (6) Has not been convicted of a felonious act prohibited by

1 the act of April 14, 1972 (P.L.233, No.64), known as "The
2 Controlled Substance, Drug, Device and Cosmetic Act," or
3 convicted of a felony relating to a controlled substance in a
4 court of law of the United States or any other state, territory
5 or country. An applicant's statement on the application
6 declaring the absence of a conviction shall be deemed
7 satisfactory evidence of the absence of a conviction, unless the
8 board has some evidence to the contrary.

9 Section 2. Section 5(a) of the act is amended by adding a
10 clause to read:

11 Section 5. Revocation and Suspension.--(a) The board shall
12 have the power to revoke or suspend the license of any
13 pharmacist upon proof satisfactory to it that:

14 * * *

15 (10) He has been convicted of a felonious act prohibited by
16 the act of April 14, 1972 (P.L.233, No.64), known as "The
17 Controlled Substance, Drug, Device and Cosmetic Act." If the
18 board determines from the evidence or information presented to
19 it that a person licensed to practice pharmacy in this State by
20 his continuation in practice would constitute an immediate
21 danger to the public, the board may temporarily suspend the
22 license of that person without notice or hearing on the
23 complaint, provided institution of proceedings for a hearing
24 before the board is initiated simultaneously with the temporary
25 suspension and provided that a hearing is held as soon as can be
26 accomplished under Title 2 of the Pennsylvania Consolidated
27 Statutes (relating to administrative law and procedure) and this
28 act.

29 Section 3. This act shall take effect immediately.