

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2303 Session of
2005

INTRODUCED BY BOYD, DENLINGER, MACKERETH, FREEMAN AND GANNON,
DECEMBER 6, 2005

REFERRED TO COMMITTEE ON PROFESSIONAL LICENSURE,
DECEMBER 6, 2005

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 licensure; and imposing functions on
7 the Commissioner of Professional and Occupational Affairs and
8 the Legislative Reference Bureau.

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

11 Section 1. Section 5(a) and (b) of the act of September 27,
12 1961 (P.L.1700, No.699), known as the Pharmacy Act, are amended
13 by adding clauses to read:

14 Section 5. Refusal to Grant, Revocation and Suspension.--(a)
15 The board shall have the power to refuse, revoke or suspend the
16 license of any pharmacist upon proof satisfactory to it that the
17 pharmacist:

18 * * *

19 (13) Set an unreasonable fee for repackaging and relabeling
20 pharmaceuticals in violation of a statutory provision relating

1 to fees for providing long-term care patients access to
2 pharmaceuticals.

3 (b) The board shall have the power to refuse, revoke or
4 suspend the permit of any pharmacy upon proof satisfactory to it
5 that:

6 * * *

7 (6) The holder of the permit set an unreasonable fee for
8 repackaging and relabeling pharmaceuticals in violation of a
9 statutory provision relating to fees for providing long-term
10 care patients access to pharmaceuticals.

11 * * *

12 Section 2. When the Commissioner of Professional and
13 Occupational Affairs determines that legislation providing for
14 long-term care patient access to pharmaceuticals is in effect,
15 the commissioner shall transmit notice of the determination to
16 the Legislative Reference Bureau for publication in the
17 Pennsylvania Bulletin.

18 Section 3. This act shall take effect as follows:

19 (1) The following provisions shall take effect
20 immediately:

21 (i) Section 2 of this act.

22 (ii) This section.

23 (2) The remainder of this act shall take effect upon
24 publication of the notice under section 2 of this act.