

AGENCY RECEIPT
NOTICE OF PROPOSED RULEMAKING

SECRETARY OF STATE

2023 JUN 15 PM 1:31

FILED

1. Agency name: Board of Pharmacy

2. The Subchapters, if applicable; the Articles; the Parts, if applicable, and the Sections involved in the rulemaking, listed in numerical order:

<u>Article, Part, or Section Affected (as applicable)</u>	<u>Rulemaking Action</u>
(in numerical order)	
R4-23-101	Amend
R4-23-119	Amend
R4-23-201	Amend
R4-23-202	Amend
R4-23-203	Amend
R4-23-205	Amend
Article 3	Amend
R4-23-301	Amend
R4-23-302	Amend
R4-23-303	Repeal
R4-23-304	Repeal
R4-23-305	Repeal

**AGENCY CERTIFICATE
NOTICE OF PROPOSED RULEMAKING**

SECRETARY OF STATE

2023 JUN 15 PM 1:31

FILED

- 1. Agency name:** Board of Pharmacy
- 2. Chapter heading:** Board of Pharmacy
- 3. Code citation for the Chapter:** 4 A.A.C. 23
- 4. The Subchapters, if applicable; the Articles; the Parts, if applicable, and the Sections involved in the rulemaking, listed in numerical order:**

Article, Part, or Section Affected (as applicable) Rulemaking Action

(in numerical order)

R4-23-101	Amend
R4-23-119	Amend
R4-23-201	Amend
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R4-23-203	Amend
R4-23-205	Amend
Article 3	Amend
R4-23-301	Amend
R4-23-302	Amend
R4-23-303	Repeal
R4-23-304	Repeal
R4-23-305	Repeal

- 5. The rules contained in this package are true and correct as proposed.**

6. 

Signature of Agency Chief Executive Officer in ink

June 15, 2023
Date of signing

Kamlesh Gandhi
Printed or typed name of signer

Executive Director
Title of signer

NOTICE OF PROPOSED RULEMAKING
TITLE 4. PROFESSIONS AND OCCUPATIONS
CHAPTER 23. BOARD OF PHARMACY

PREAMBLE

1. Articles, Parts, and Sections Affected

Rulemaking Action

R4-23-101	Amend
R4-23-119	Amend
R4-23-201	Amend
R4-23-202	Amend
R4-23-203	Amend
R4-23-205	Amend
Article 3	Amend
R4-23-301	Amend
R4-23-302	Amend
R4-23-303	Repeal
R4-23-304	Repeal
R4-23-305	Repeal

2. Citations to the agency's statutory rulemaking authority to include the authorizing statute (general) and the implementing statute (specific):

Authorizing statute: A.R.S. § 32-1901(A)(1)

Implementing statute: A.R.S. §§ 32-1922, 32-1923, 32-1924, 32-1925, 32-1926, and 32-1933

3. Citations to all related notices published in the Register as specified in R1-1-409(A) that pertain to the record of the proposed rule:

Notice of Rulemaking Docket Opening: XX A.A.R. XX

4. The agency's contact person who can answer questions about the rulemaking:

Name: Kamlesh Gandhi

Address: 1110 W. Washington Street, Suite 260
Phoenix, AZ 85007

Telephone: (602) 771-2740

Fax: (602) 771-2749

E-mail: kgandhi@azpharmacy.gov

Website: www.azpharmacy.gov

5. An agency's justification and reason why a rule should be made, amended, repealed, or renumbered, to include an explanation about the rulemaking:

The Board is making numerous, non-substantive changes to modernize the rules and make them consistent with statute and agency practice, address issues that were identified in a 5YRR approved by the Council on January 4, 2023, and make the rules more clear, concise, and understandable. The changes include:

- Deleting the distinction between a graduate and pharmacy intern (See Laws 2018, Chapter 228);
- Reducing the fee for licensure by reciprocity;
- Clarifying there are multiple jurisprudence examinations;
- Reducing regulatory burdens by providing applicants for licensure with additional time in which to respond to a notice of incompleteness and allowing them a 30-day extension with notice rather than request; and
- Deleting requirements that duplicate statute.

As required under A.R.S. § 41-1039, an exemption for this rulemaking was obtained from Zaida Dedolph, health policy advisor in the governor's office, in an e-mail dated March 3, 2023.

6. A reference to any study relevant to the rule that the agency reviewed and proposes either to rely on or not to rely on in its evaluation of or justification for the rule, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:

The Board does not intend to review or rely on any study in its evaluation of or justification for any rule in this rulemaking.

7. A showing of good cause why the rulemaking is necessary to promote a statewide interest if the rulemaking will diminish a previous grant of authority of a political subdivision of this state:

Not applicable

8. The preliminary summary of the economic, small business, and consumer impact:

Reducing the fee for licensure by reciprocity will have a benefit for reciprocity applicants. Providing extra time in which to respond to a notice of incompleteness will benefit applicants. Modernizing the rules and clarifying language will reduce the regulatory burden

of dealing with outdated and unclear rules. Otherwise, the Board believes the non-substantive changes made in this rulemaking will have minimal economic impact.

9. The agency's contact person who can answer questions about the economic, small business, and consumer impact statement:

Name: Kamlesh Gandhi

Address: 1110 W. Washington Street, Suite 260
Phoenix, AZ 85007

Telephone: (602) 771-2740

Fax: (602) 771-2749

E-mail: kgandhi@azpharmacy.gov

Website: www.azpharmacy.gov

10. The time, place, and nature of the proceedings to make, amend, repeal, or renumber the rule, or if no proceeding is scheduled, where, when, and how persons may request an oral proceeding on the proposed rule:

An oral proceeding regarding the proposed rules will be held as follows:

Date: Tuesday, August 8, 2023

Time: 9:00 a.m.

Location: 1110 W. Washington Street, Suite 260, Phoenix, AZ 85007

11. All agencies shall list other matters prescribed by statute applicable to the specific agency or to any specific rule or class of rules. Additionally, an agency subject to Council review under A.R.S. §§ 41-1052 and 41-1055 shall respond to the following questions:

None

a. Whether the rule requires a permit, whether a general permit is used and if not, the reasons why a general permit is not used:

The Board does not issue general permits. Rather, the Board issues individual licenses as required by the Board's statutes to each person that is qualified by statute (See A.R.S. §§ 32-1922, 32-1923, and 32-1923.01) and rule.

b. Whether a federal law is applicable to the subject of the rule, whether the rule is more stringent than federal law and if so, citation to the statutory authority to exceed the requirements of federal law:

No federal law is directly applicable to the subject on any rule in this rulemaking. However, there are numerous federal laws regarding drugs, especially controlled substance drugs, with which a licensee must comply.

c. Whether a person submitted an analysis to the agency that compares the rule's impact of the competitiveness of business in this state to the impact on business in other states:

No analysis was submitted.

12. A list of any incorporated by reference material as specified in A.R.S. § 41-1028 and its location in the rules:

None

13. The full text of the rules follows:

TITLE 4. PROFESSIONS AND OCCUPATIONS
CHAPTER 23. BOARD OF PHARMACY
ARTICLE 1. ADMINISTRATION

Section

R4-23-101. General

R4-23-119. Subpoenas

ARTICLE 2. PHARMACIST LICENSURE

Section

R4-23-201. General

R4-23-202. Licensure by Examination

R4-23-203. Licensure by Reciprocity

R4-23-205. Fees and Charges

ARTICLE 3. INTERN TRAINING; ~~AND PHARMACY~~ INTERN PRECEPTORS

Section

R4-23-301. Intern Licensure

R4-23-302. Training Site; ~~and Pharmacy Intern Preceptors;~~ Training Time

R4-23-303. ~~Training Time~~ Repealed

R4-23-304. ~~Reports~~ Repealed

R4-23-305. ~~Miscellaneous Intern Training Provisions~~ Repealed

ARTICLE 1. ADMINISTRATION

R4-23-101. General

- A. ~~4.A.A.C. 23~~ This Chapter applies to all actions and proceedings of the Board and shall be deemed a part of the record in any Board action or proceeding without formal introduction of, or reference to the rules. A party to a Board action is deemed to have knowledge of the rules. ~~The Board office shall provide a copy of the rules:~~
- ~~1. To each license applicant who submits a completed application packet; and~~
 - ~~2. To each permit applicant during the final compliance inspection after the Board approves the permit application.~~
- B. The Board, within its jurisdiction, may, in the interest of justice, excuse the failure of any person to comply with the rules.
- C. The Board, within its jurisdiction, may grant an extension of time within which to comply with any rule when it deems the extension to be in the interest of justice.

R4-23-119. Subpoenas

- A. Form. A party wanting the Board to issue a subpoena shall ~~request a subpoena in writing from~~ submit a written request to the Board and shall include:
1. The caption and docket number of the matter;
 2. A list or description of any documents sought;
 3. The full name and home or business address of the custodian of the documents sought or all persons to be subpoenaed;
 4. The date, time, and place to appear or to produce documents ~~pursuant~~ according to the subpoena; and
 5. The name, address, and telephone number of the party, or the party's attorney, requesting the subpoena.
- B. The Board may require a brief statement of the relevance of testimony or documents requested.
- C. Service of subpoena. ~~Any person who is not a party and is at least 18 years of age may serve a subpoena. The person shall serve the subpoena by delivering a copy to the person to be served. The person serving the subpoena shall provide proof of service by filing with the Board office a certified statement of the date and manner of service and the names of the persons served~~ The Board shall serve a subpoena in a manner allowed by law.

- D. Objection to subpoena. A if a party, or the person served with a subpoena who objects to the subpoena, or any portion of ~~the subpoena~~, the party or person may file an objection with the Board. ~~The objection shall be filed within five days after service of the subpoena, or at the outset start of the hearing if the subpoena is served fewer than five days before the hearing.~~
- E. Quashing, or modifying subpoenas. The Board shall quash or modify a subpoena if:
 1. It is unreasonable or oppressive, or
 2. The desired testimony or evidence may be obtained by an alternative method.

ARTICLE 2. PHARMACIST LICENSURE

R4-23-201. General

- A. License required. Before practicing as a pharmacist in Arizona, a person shall possess a valid pharmacist license issued by the Board. ~~There is no temporary licensure.~~
- B. Methods of licensure. Licensure as a pharmacist shall be either by:
 1. ~~By practical examination, Examination using paper and pencil written testing, computer adaptive testing, or other a Board-approved testing method; or~~
 2. By reciprocity Reciprocity, as provided under A.R.S. § 32-1922(B).
- C. ~~Practicing pharmacist holding a delinquent license. Before the The Board reinstates an Arizona pharmacist may reinstate the license, of a pharmacist, whose Arizona pharmacist license is delinquent for five or more years and who is practicing pharmacy outside the Board's in another jurisdiction with a pharmacist license issued by another jurisdiction and has an Arizona license that lapsed at least five years ago if the pharmacist, shall:~~
 1. ~~Pass Passes the MPJE or other Board-approved jurisprudence examination, and~~
 2. ~~Pay Pays all delinquent annual renewal fees, and penalties specified under A.R.S. § 32-1925(C).~~
 3. ~~Pay penalty fees.~~
- D. ~~Non-practicing pharmacist holding a delinquent license. Before the The Board reinstates an Arizona pharmacist may reinstate the license, of a pharmacist, whose Arizona pharmacist license is delinquent for five or more years and who did has not practice practiced pharmacy within the last 12 months before seeking reinstatement and whose Arizona license lapsed at least five years ago if the pharmacist, shall:~~
 1. ~~Complete Completes the requirements in subsection (C), and~~
 2. ~~Appear Appears before the Board to furnish satisfactory proof of fitness to be licensed as a pharmacist.~~

- E. Verification of license. A pharmacy permittee or pharmacist-in-charge shall not ~~permit~~ allow a person to practice as a pharmacist until the pharmacy permittee or pharmacist-in-charge verifies ~~that~~ the person is currently licensed by the Board as a pharmacist.

R4-23-202. Licensure by Examination

- A. Eligibility. To be eligible for licensure as a pharmacist by examination, a person shall:

1. Have a degree in pharmacy from a an approved school or college of pharmacy ~~approved by the Board as specified in A.R.S. § 32-1935, and whose professional degree program, at the time the person graduates, is accredited by the Accreditation Council for Pharmacy Education;~~ or
2. Qualify under the requirements of A.R.S. § 32-1922(D); ~~and~~
3. ~~Complete no fewer than 1500 hours of intern training as specified in R4-23-303.~~

- B. Application.

1. An applicant for licensure by examination shall:
 - a. ~~Submit a completed application for licensure by examination electronically or manually~~ on a form furnished by the Board, and
 - b. Submit with the application form:
 - i. The documents specified in the application form, and
 - ii. The application fee specified in R4-23-205.
2. The Board office shall deem an application form received on the date the Board office electronically or manually date-stamps the form.
3. An applicant for licensure by examination shall register for the NAPLEX and MPJE jurisprudence examination through NABP's registration process. When NABP determines the applicant is eligible to test, NABP will issue an authorization to test.
4. The Board shall deem an application for licensure by examination invalid ~~after~~ 12 months ~~from~~ after the date the application is received. An applicant whose application form is invalid and who wishes to continue licensure procedures, shall submit a new application form and fee as specified under subsection (B)(1).

- C. Passing grade; notification; re-examination.

1. To pass the required examinations, an applicant shall ~~obtain a score of at least 75~~ receive a passing grade on both the NAPLEX and ~~MPJE~~ jurisprudence examination.
2. The Board office shall:

- a. Retrieve ~~retrieve~~ an applicant's NAPLEX and MPJE ~~score~~ jurisprudence examination scores from the NABP database no later than two weeks after the applicant's examination date, ~~and~~
 - b. ~~Provide written notice by mail to an applicant who fails the NAPLEX or MPJE no later than seven days after the Board office retrieves the applicant's score from NABP.~~
3. An applicant who fails the NAPLEX or MPJE jurisprudence examination may register with the NABP to retake the examination within the 12-month period defined in subsection (B)(4). An applicant who fails the NAPLEX or MPJE jurisprudence examination three times shall petition the Board Executive Director as specified in R4-23-401 for Board approval before retaking the examination. If the applicant fails the NAPLEX or jurisprudence examination four times, the applicant shall petition the Board as specified in R4-23-401 for Board consideration before taking the examination for a last time.
 4. For the purpose of licensure by examination, the Board office shall deem a passing score on the NAPLEX or MPJE jurisprudence examination invalid ~~after~~ 24 months ~~from~~ after the applicant's examination date. An applicant who fails to complete the licensure process within the 24-month period, and who wishes to continue licensure procedures, shall retake the examination(s).

D. NAPLEX score transfer.

1. The Board office shall deem a score transfer received on the date the NABP transmits the applicant's official score transfer report to the Board office.
2. An applicant who receives a passing score on the NAPLEX taken in another jurisdiction shall, within 12 months ~~from~~ after the date the Board office receives the applicant's official NABP score transfer report ~~from the NABP~~, make application for licensure according to subsection (B). After 12 months, an applicant may reapply for licensure in this state under the provisions of subsection (B) or R4-23-203(B).
3. ~~An applicant who takes the NAPLEX in another jurisdiction and fails the examination may apply for licensure in this state under the provisions of subsection (B).~~

E. Licensure.

1. The Board office shall issue a certificate of licensure and a wall license to a successful applicant ~~upon receipt of:~~
 - a. ~~The initial licensure fee specified in R4-23-205, and~~
 - b. ~~The wall license fee specified in R4-23-205.~~

2. A licensee shall maintain the certificate of licensure in the practice site for inspection by the Board or its designee or review by the public.

F. Time frames for licensure by examination.

1. The Board office shall complete an administrative completeness review within 60 days ~~from~~ after the date the application form is received.
 - a. The Board office shall issue a written notice of administrative completeness to the applicant if no deficiencies are found in the application form.
 - b. If the application form is incomplete, the Board office shall provide the applicant with a written notice that includes a comprehensive list of the missing information. The 60-day time frame for the Board office to finish the administrative completeness review is suspended from the date the notice of incompleteness is served until the applicant provides the Board office with all missing information.
 - c. If the Board office does not provide the applicant with written notice regarding administrative completeness, the application form shall be deemed complete 60 days after receipt by the Board office.
2. An applicant with an incomplete application form shall submit all of the missing information within 90 business days ~~of~~ after service of the notice of incompleteness.
 - a. If an applicant cannot submit all missing information within 90 business days ~~of~~ after service of the notice of incompleteness, the applicant may send a written ~~request for an~~ notice of a 30-day extension to the Board office postmarked or delivered no later than 90 business days ~~from~~ after service of the notice of incompleteness.
 - b. ~~The written request for an extension shall document the reasons the applicant is unable to meet the 90-day deadline.~~
 - c. ~~The Board office shall review the request for an extension of the 90-day deadline and grant the request if the Board office determines that an extension of the deadline will enable the applicant to assemble and submit the missing information. An extension shall be for no more than 30 days. The Board office shall notify the applicant in writing of its decision to grant or deny the request for an extension.~~
3. If an applicant fails to submit a complete application form within the time allowed under subsection (F)(2), the Board office shall close the applicant's file. An applicant whose file is closed and who later wishes to obtain a license shall apply again according to subsection (B).

4. The Board office shall complete a substantive review of the applicant's qualifications in no more than 120 days ~~from~~ after the date on which the administrative completeness review of an application form is complete.
 - ~~a. If an applicant is found to be ineligible for licensure by examination, the Board office shall issue a written notice of denial to the applicant.~~
 - ~~b. If an applicant is found to be eligible to take the NAPLEX, the Board office shall notify the NABP that the applicant is eligible to test. The NABP shall issue the applicant an authorization to test letter.~~
 - ~~c. If an applicant is found to be eligible to take the MPJE, the Board office shall notify the NABP that the applicant is eligible to test. The NABP shall issue the applicant an authorization to test letter.~~
 - ~~d.a.~~ The Board office shall deem an applicant's eligibility to test the application invalid after 12 months ~~from~~ after the date the application for licensure by examination is received.
 - ~~e.b.~~ If the Board office finds deficiencies during the substantive review of an ~~application form~~ the applicant's qualifications, the Board office shall issue a written request to the applicant for additional documentation.
 - ~~f.c.~~ The 120-day time frame for a substantive review of ~~eligibility to take the NAPLEX or MPJE~~ is suspended from the date of a written request for additional documentation until the date ~~that~~ all documentation is received. The applicant shall submit the additional documentation according to subsection (F)(2).
 - ~~g.d.~~ If the applicant and the Board office ~~mutually~~ agree in writing, the 120-day substantive review time frame may be extended once for no more than 45 days.
5. For the purpose of A.R.S. § 41-1072 et seq., the Board establishes the following time frames for licensure by examination.
 - a. Administrative completeness review time frame: 60 days.
 - b. Substantive review time frame: 120 days.
 - c. Overall time frame: 180 days.

G. License renewal.

1. To renew a license, a pharmacist shall submit a completed license renewal application ~~electronically or manually~~ on a form furnished by the Board with the biennial renewal fee specified in R4-23-205.
2. If the biennial renewal fee is not paid by November 1 of the renewal year specified in A.R.S. § 32-1925, the pharmacist license is suspended and the licensee shall not

practice as a pharmacist. The suspended licensee shall pay a reinstatement penalty as provided in A.R.S. § 32-1925 and R4-23-205 to vacate the suspension.

3. A licensee shall maintain the renewal certificate of licensure in the practice site for inspection by the Board or its designee or review by the public.
4. Time frames for license renewals. The Board office shall follow the time frames established in subsection (F) when processing a renewal application.

R4-23-203. Licensure by Reciprocity

A. Eligibility. A person is eligible for licensure by reciprocity who:

- ~~1. Is if the person is licensed as a pharmacist in a another jurisdiction that provides reciprocity to Arizona licensees, and qualified under A.R.S. § 32-1922(B).~~
- ~~2. Has passed the NABPLEX or NAPLEX with a score of 75 or better or was licensed by examination in another jurisdiction having essentially the same standards for licensure as this state at the time the pharmacist was licensed, and~~
- ~~3. Provides evidence to the Board of having completed the required secondary and professional education and training specified in R4-23-202(A).~~

B. Application.

- ~~1. An applicant for licensure by reciprocity shall: comply with R4-23-202(B).~~
 - ~~a. Submit a completed application for licensure by reciprocity electronically or manually on a form furnished by the Board, and~~
 - ~~b. Submit with the application form:~~
 - ~~i. The documents specified in the application form, and~~
 - ~~ii. The reciprocity fee specified in R4-23-205(B).~~
- ~~2. The Board office shall deem an application form received on the date the Board office electronically or manually date stamps the form.~~
- ~~3. An applicant for licensure by reciprocity shall register for MPJE through NABP's registration process.~~
- ~~4. The Board office shall deem an application for licensure by reciprocity invalid after 12 months from the date the application is received. An applicant whose application form is invalid and who wishes to continue licensure procedures shall submit a new application form and fee specified in subsection (B)(1).~~

C. Passing grade; notification; re-examination. An applicant for licensure by reciprocity shall comply with R4-23-202(C) regarding the jurisprudence examination.

1. ~~To pass the required examination, an applicant shall obtain a score of at least 75 on the MPJE.~~
2. ~~The Board office shall:~~
 - a. ~~Retrieve an applicant's MPJE score from the NABP database no later than two weeks after the applicant's examination date, and~~
 - b. ~~Provide written notice by mail to an applicant who fails the MPJE no later than seven days after the Board office retrieves the applicant's score from NABP.~~
3. ~~An applicant who fails the MPJE may register with the NABP to retake the examination within the 12-month period specified in subsection (B)(4). An applicant who fails the MPJE three times shall petition the Board as specified in R4-23-401 for Board approval before retaking the examination.~~
4. ~~For the purpose of licensure by reciprocity, the Board office shall deem a passing score on the MPJE invalid after 24 months from the applicant's examination date. An applicant who fails to complete the licensure process within the 24-month period, and who wishes to continue licensure procedures, shall retake the examination.~~

D. Licensure. The provisions of R4-23-202(E) apply for an applicant for licensure by reciprocity.

1. ~~The Board office shall issue a certificate of licensure and a wall license to a successful applicant upon receipt of:~~
 - a. ~~The initial licensure fee specified in R4-23-205, and~~
 - b. ~~The wall license fee specified in R4-23-205.~~
2. ~~A licensee shall maintain the certificate of licensure in the practice site for inspection by the Board or its designee or review by the public.~~

E. Time frames for licensure by reciprocity. The Board office shall follow the time frames established for licensure by examination in R4-23-202(F).

F. License renewal. License renewal shall be the same as The procedure specified in R4-23-202(G) applies.

R4-23-205. Fees and Charges

A. The Board establishes and shall collect the full biennial fee for all initial and renewal license and permit applications listed in subsections (B) and (C).

1. ~~If a license or permit is issued from November of an odd-numbered year through October of an even-numbered year, the licensee or permittee shall renew on or before November 1 of the next odd-numbered year.~~

2. ~~If a license or permit is issued from November of an even-numbered year through October of an odd-numbered year, the licensee or permittee shall renew on or before November 1 of the next even-numbered year.~~

B. Licensure fees:

1. Pharmacist:
 - a. Initial licensure: \$180.
 - b. Licensure renewal: \$180.
2. Intern. Initial licensure: \$50.
3. Pharmacy technician:
 - a. Initial licensure: \$72.
 - b. Licensure renewal: \$72.
4. Temporary license valid for 30 days:
 - a. Pharmacist: \$120.
 - b. Intern: \$50.
 - c. Pharmacy technician: \$50.

C. Vendor permit fees (Resident and nonresident):

1. Pharmacy: \$480 biennially (Including hospital, and limited service).
2. Drug wholesaler or manufacturer:
 - a. Manufacturer: \$1000 biennially.
 - b. Full-service drug wholesaler: \$1000 biennially.
 - c. Nonprescription drug wholesaler: \$500 biennially.
3. Drug packager or repackager: \$1000 biennially.
4. Compressed medical gas distributor: \$200 biennially.
5. Durable medical equipment and compressed medical gas supplier: \$100 biennially.
6. Third-party logistics provider: \$1000 biennially.
7. Automated prescription-dispensing kiosk: \$480 biennially.

D. Pharmacy technician trainee 36-month, non-renewable, license: \$50.

1. ~~If an individual obtained an initial pharmacy technician trainee license before August 9, 2017, the Board shall allow the individual to reapply once for a pharmacy technician trainee license if the individual reapplies before the initial license expires and pays a reapplication fee of \$36; and~~
2. ~~If a pharmacy technician trainee's initial license expires before August 9, 2017, and the pharmacy technician trainee does not reapply before August 9, 2017, the Board shall not allow the former pharmacy technician trainee to reapply.~~

- E. Reciprocity fee: ~~\$300~~ \$150.
- F. Application fee: \$50.
- G. Certificate fees:
 - 1. Certificate of free sale: \$200 per certificate.
 - 2. Certificate of good manufacturing practice: \$200 per certificate.
 - 3. ~~Annual inspection fee calculated at the average hourly rate of a pharmacy inspector multiplied by the duration of the inspection measured in 10-minute increments or portion of a 10-minute increment.~~
- H. ~~Other fees~~ Charges for services:
 - 1. Wall license.
 - a. Pharmacist: \$20.
 - b. ~~Pharmacy or graduate intern~~ Intern: \$10.
 - c. Pharmacy technician: \$10.
 - d. ~~Pharmacy technician trainee~~: \$10.
 - 2. Duplicate of any Board-issued license, registration, certificate, or permit: \$10.
 - 3. ~~Duplicate current renewal license~~: \$10.
 - 4.3. License, permit, or certificate verification: \$15.
- I. Fees are not refunded under any circumstances except for the Board's failure to comply with its established licensure or permit time frames under R4-23-202 or R4-23-602.
- J. Penalty. ~~Renewal applications~~ A renewal application submitted after the expiration date are is subject to a penalty as provided in A.R.S. §§ 32-1925 and 32-1931.
 - 1. ~~Licensees~~ Licensee: A penalty equal to half the licensee's biennial licensure renewal fee under subsection (B) and not to exceed \$350.
 - 2. ~~Permittees~~ Permittee: A penalty equal to half the permittee's biennial permit fee under subsection (C) and not to exceed \$350.

ARTICLE 3. INTERN TRAINING; ~~AND PHARMACY INTERN PRECEPTORS~~

R4-23-301. Intern Licensure

- A. Licensure as a ~~pharmacy intern or graduate~~ an intern is for the purpose of complementing the an individual's academic or experiential education in preparation for licensure as a pharmacist. An applicant may request a waiver of intern licensure requirements by submitting a written request as specified in R4-23-401 and appearing in person at a Board meeting.

B. The prerequisites ~~prerequisite~~ for licensure as a ~~pharmacy~~ an intern are is one of the following:

1. Current enrollment, in good standing, in a ~~Board-approved~~ an approved college or school of pharmacy; ~~or~~
2. Graduation from a college or school of pharmacy that is ~~not approved by the Board~~; and along with:
3. a. Proof that the applicant is certified by the Foreign Pharmacy Graduate Examination Committee (FPGEC), if applicable; or
b. Application for licensure as a pharmacist by examination or reciprocity; or
4.3. By order of the Board if the Board determines the applicant needs intern training.

C. If a ~~pharmacy~~ an intern licensee stops attending pharmacy school classes ~~before completing the pharmacy school's requirements for graduation~~ without graduating, the licensee shall immediately stop practicing as a ~~pharmacy~~ an intern and surrender the pharmacy intern license to the Board or the Board's designee no later than 30 days after the date of the last attended class, unless the licensee petitions the Board as specified in R4-23-401 and receives Board approval to continue working as a ~~pharmacy~~ an intern. A student re-entering a pharmacy program who wishes to continue internship training shall reapply for ~~pharmacy~~ intern licensure.

D. The prerequisites for licensure as a ~~graduate intern~~ are:

1. Graduation from a ~~Board-approved~~ college or school of pharmacy, and
2. Application for licensure as a pharmacist by examination or reciprocity, or
3. By order of the Board if the Board determines that the applicant needs intern training.

E.D. Experiential training. ~~Intern~~ The preceptor supervising an intern shall ensure the training shall include received by the intern includes the activities and services encompassed by the term "practice of pharmacy" as defined in A.R.S. § 32-1901.

F.E. Out-of-state experiential training. ~~An~~ The Board shall credit an intern shall receive credit for ~~intern~~ experiential training received outside this state if the Board determines that the ~~intern~~ experiential training requirements of the jurisdiction in which the training was received are equal to the minimum requirements for ~~intern~~ experiential training in this state. An applicant seeking credit for ~~intern~~ experiential training received outside this state shall furnish a certified copy of the training records ~~of intern training~~ from:

1. The Board of Pharmacy or the intern licensing agency of the ~~other~~ jurisdiction where the training was received; or

2. In a jurisdiction without an intern licensing agency, the director of the applicant's Board-approved approved college or school of pharmacy's experiential training program.

G.F. Verification of license. A pharmacy permittee or pharmacist-in-charge shall not ~~permit a person~~ allow an individual to practice as a ~~pharmacy or graduate~~ an intern until the pharmacy permittee or pharmacist-in-charge verifies that the ~~person~~ individual is currently licensed by the Board as a ~~pharmacy or graduate~~ an intern.

H.G. Intern application.

1. An applicant for licensure as a ~~pharmacy intern or graduate~~ an intern shall:
 - a. Submit a completed application ~~electronically or manually~~ on a form furnished by the Board, and
 - b. Submit with the application form:
 - i. The documents specified in the application form, and
 - ii. The initial licensure fee specified in R4-23-205, and
 - iii. ~~The wall license fee specified in R4-23-205.~~
2. The Board office shall deem an application form received on the date the Board office electronically or manually date-stamps the form.

H.H. Licensure.

1. If an applicant is found to be ineligible for intern licensure under statute and rule, the Board office shall issue a written notice of denial to the applicant.
2. If an applicant is found to be eligible for intern licensure under statute and rule, the Board office shall issue a certificate of licensure and a wall license. An applicant who is assigned a license number and ~~who~~ has been granted "open" status on the Board's license verification site may begin practice as a ~~pharmacy intern or graduate~~ an intern before receiving the certificate of licensure.
3. An applicant who is assigned a license number and ~~who~~ has a "pending" status on the Board's license verification site shall not practice as a ~~pharmacy intern or graduate~~ an intern until the Board office issues a certificate of licensure as specified in subsection (H)(2).
4. A licensee shall maintain the certificate of licensure in the practice site for inspection by the Board or its designee or review by the public.

J.I. Time frames for intern licensure. The Board office shall follow the time frames established in R4-23-202(F).

K.J. License renewal.

1. ~~A pharmacy~~ An intern whose license expires before the intern completes the education or training required for licensure as a pharmacist but fewer than six years after the issuance of the initial ~~pharmacy~~ intern license may renew the intern license for a period equal to the difference between the expiration date of the initial intern license and six years from the issue date of the initial intern license by ~~payment of~~ paying a prorated renewal fee based on the intern initial license fee specified in R4-23-205.
2. If ~~a pharmacy~~ an intern fails to graduate from a ~~Board-approved~~ an approved college or school of pharmacy within six years from the date the Board issues the initial intern license, the intern is not eligible for relicensure as an intern unless the intern obtains Board approval as specified in A.R.S. § 32-1923(E) and R4-23-401. To remain in good standing, an intern who receives Board approval for relicensure shall pay a prorated renewal fee for the number of months of licensure approved by the Board based on the intern initial license fee specified in R4-23-205 before the license ~~expiration date~~ expires.
3. If an intern receives Board approval for relicensure and does not pay the renewal fee specified in subsection ~~(K)(2)(J)(2)~~ before the license ~~expiration date~~ expires, the intern license is suspended and the suspended licensee shall not practice as an intern. ~~The~~ until the suspended licensee shall ~~pay~~ pays a penalty as provided in A.R.S. § 32-1925 and R4-23-205 to vacate the suspension.

L.K. Notification of training.

1. ~~A pharmacy~~ An intern who is employed as an intern outside the experiential training program of a ~~Board-approved~~ an approved college or school of pharmacy ~~or a graduate intern~~ shall notify the Board within 10 days of starting or terminating training, or changing training site.
2. ~~The director of a Board-approved college or school of pharmacy's experiential training program shall provide the Board an intern training report as specified in R4-23-304(B)(3).~~

L. Change of address. An intern shall notify the Board within 10 days after the intern's employment or mailing address changes.

R4-23-302. Training Site; and Pharmacy Intern Preceptors; Training Time

- A.** To receive credit for intern training hours, ~~a pharmacy or graduate~~ an intern shall train in a site that:
1. Holds a valid Arizona pharmacy permit; or

2. Is an alternative training site. For purposes of this Section, the term alternative training site is a non-pharmacy training site established and monitored by a ~~Board-approved~~ an approved college or school of pharmacy or other non-pharmacy site where pharmacy related pharmacy-related activities are performed and where an intern gains experience as specified in R4-23-301~~(E)~~(D).
- B. Pharmacy intern Intern preceptor.** To be a ~~pharmacy~~ an intern preceptor, a pharmacist shall:
1. Hold a current unrestricted pharmacist license;
 2. Have ~~a minimum of~~ at least one year of experience as an actively practicing pharmacist ~~before acting as a pharmacy intern preceptor~~; and
 3. If found guilty of violating any federal or state law relating to the practice of pharmacy, drug or device distribution, or recordkeeping or unprofessional conduct, enter into an agreement satisfactory to the Board that places restrictions on the pharmacist's license.
- C. Preceptor responsibilities.** ~~A pharmacy intern preceptor assumes the responsibilities of a teacher and mentor in addition to those of a pharmacist. A preceptor shall thoroughly review pharmacy policy and procedure with each intern. A preceptor is responsible for the pharmacy-related pharmacy-related actions of an intern during the specific training period. A preceptor shall give an intern the opportunity for skill development and provide an~~ the intern with timely and realistic feedback regarding ~~their~~ the intern's progress.
- D.** ~~If an intern completes more than the number of training hours specified under R4-23-202(A)(3), the pharmacist acting as the pharmacy intern preceptor shall report the total number of training hours to the other jurisdiction. Training hours. An intern preceptor shall ensure the intern receives hours of experiential training consistent with the requirements of the ACPE.~~

R4-23-303. Training Time Repealed

- A. Training.** ~~The minimum hours of internship training required for licensure by examination shall be 1,500.~~
1. ~~After enrolling in a Board-approved college or school of pharmacy as prescribed in R4-23-301(B) and receiving a Board-issued pharmacy intern license, a pharmacy intern shall complete all required internship training as part of the pharmacy intern's Board-approved college or school of pharmacy experiential training program.~~
 2. ~~After receiving a Board-issued pharmacy intern license, an individual who is a graduate of a college or school of pharmacy that is not approved by the Board shall complete a~~

~~minimum of 1,500 hours of internship training in a training site or sites as defined in R4-23-302(A).~~

- ~~3. After receiving a Board-issued graduate intern license, a graduate intern shall complete the number of internship training hours required by the Board in a training site or sites as defined in R4-23-302(A).~~
- ~~**B. Start of training and limitation of credit.** To receive credit as internship training, the practical experience shall take place in a pharmacy or an alternative training site as specified in R4-23-302(A) and under the supervision of a pharmacy intern preceptor, except for a non-pharmacy site either as part of a Board-approved college or school of pharmacy experiential training program or as approved by the Board or its designee. The Board shall credit no more than 500 hours internship training as a pharmacy or graduate intern in an alternative training site specified in R4-23-302(A)(2).~~

R4-23-304. Reports Repealed

- ~~**A. Change of employment or mailing address.** A pharmacy intern or graduate intern shall notify the Board within ten days of change of employment or mailing address.~~
- ~~**B. Annual reports.**
 - ~~1. A pharmacy intern who is a graduate of a college or school of pharmacy that is not approved by the Board or is a graduate intern shall provide the Board annual intern training reports for the duration of training. The pharmacy intern shall file an annual intern training report on a report form provided by the Board by calendar year (January 1st through December 31st). An annual intern training report shall be received at the Board's office no later than 30 days after the end of the calendar year. Any intern training hours reported to the Board office more than 30 days after the end of the calendar year in which the training hours were performed shall not be credited toward the total intern training hours required for licensure.~~
 - ~~2. After graduation and before sitting for the NAPLEX or MPJE, a pharmacy intern who is a graduate of a Board-approved college or school of pharmacy shall ensure that the director of the Board-approved college or school of pharmacy's experiential training program provides the Board an intern training report that includes:
 - ~~a. The dates and number of training hours experienced, by training site and total; and~~
 - ~~b. The date signed and experiential training program director's signature verifying that the pharmacy intern successfully completed the experiential training program.~~~~~~

R4-23-305. Miscellaneous Intern Training Provisions Repealed

~~To prevent a loss of intern hour credit and before beginning training, an intern may ask the Board if a training site meets the requirements specified in R4-23-301(E) and R4-23-302(A).~~