

PHARMACY BOARD[657]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code section 147.76, the Board of Pharmacy hereby gives Notice of Intended Action to amend Chapter 2, “Pharmacist Licenses,” Iowa Administrative Code.

The proposed amendment was approved at the November 2, 2016, regular meeting of the Board of Pharmacy.

The proposed amendment decreases the waiting period for retaking the North American Pharmacist Licensure Examination (NAPLEX) from 91 days to 45 days, with a limit of three attempts to pass the NAPLEX within a 12-month period. Due to this decrease in the waiting period, no waivers or exceptions to the 45-day waiting period will be accepted or honored because reducing the waiting period to less than 45 days would pose a threat to the integrity of the NAPLEX. This proposed amendment is the result of program changes implemented by the National Association of Boards of Pharmacy, which maintains and administers the national pharmacist licensure examinations.

Requests for waiver or variance of the discretionary provisions of Board rules will be considered pursuant to 657—Chapter 34. However, in order to protect the integrity of the examinations, no waivers or exceptions to the waiting periods will be accepted or honored.

Any interested person may present written comments, data, views, and arguments on the proposed amendment not later than 4:30 p.m. on January 10, 2017. Such written materials may be sent to Terry Witkowski, Executive Officer, Board of Pharmacy, 400 S.W. Eighth Street, Suite E, Des Moines, Iowa 50309-4688; or by e-mail to terry.witkowski@iowa.gov.

After analysis and review of this rule making, no substantial impact on jobs has been found. However, reducing the waiting period between the failure to pass the NAPLEX and the opportunity to retake the examination may result in pharmacist licensure applicants’ faster entry into the practice work force.

This amendment is intended to implement Iowa Code sections 147.34 and 147.36.

The following amendment is proposed.

Amend rule 657—2.6(147) as follows:

657—2.6(147) Reexamination applications and fees. A candidate who fails to pass either the NAPLEX or the MPJE, Iowa Edition, once shall be allowed to schedule a time to retake the examination as provided in this rule. To ensure the integrity of the examinations, no waiver or variance of the specified waiting period between reexaminations will be granted.

2.6(1) NAPLEX. A candidate who fails to pass the NAPLEX once shall be allowed to schedule a time to retake the examination no less than ~~91~~ 45 days following administration of the failed examination. The candidate may be approved to retake the NAPLEX no more than three times in a 12-month period.

2.6(2) MPJE, Iowa Edition. A candidate who fails to pass the MPJE, Iowa Edition, once shall be allowed to schedule a time to retake the examination no less than 30 days following administration of the failed examination.

2.6(3) Reexamination after two or more attempts. A candidate who fails to pass either examination following a second or subsequent examination may petition the board for permission to take the examination again. Determination of a candidate’s eligibility to take an examination more than two times shall be at the discretion of the board.

2.6(4) Applications and fees. Each applicant for reexamination shall file an application on forms provided by the board. ~~Processing fees~~ A processing fee of \$36 each will be charged to take for each

NAPLEX or MPJE, Iowa Edition, reexamination and shall be paid to the board as provided in subrule 2.3(1). In addition, candidates will be required to complete the appropriate examination registration application as provided in rule 657—2.2(155A) and to pay to NABP the registration and administration fees for each examination as provided in subrule 2.3(2). All applications, registration forms, and fees shall be submitted as provided in subrules 2.3(2) and 2.3(3).