

155A.39 Program to monitor impaired pharmacists, pharmacist-interns, or pharmacy technicians — immunity and funding.

1. The board may establish a review committee and may implement a program to monitor impaired pharmacists, pharmacist-interns, and pharmacy technicians pursuant to [section 272C.3, subsection 1](#), paragraph “k”.

2. An employee or a member of the board, a review committee member, or any other person who furnishes information, data, reports, or records in good faith for the purpose of aiding an impaired pharmacist, pharmacist-intern, or pharmacy technician, shall be immune from civil liability. This immunity from civil liability shall be liberally construed to accomplish the purpose of [this section](#) and is in addition to other immunity provided by law.

3. An employee or member of the board or a review committee member is presumed to have acted in good faith. A person alleging a lack of good faith has the burden of proof on that issue.

4. The board may add a surcharge of not more than ten percent of the applicable fee to a pharmacist license fee, pharmacist license renewal fee, pharmacist-intern registration fee, pharmacy technician registration fee, or pharmacy technician registration renewal fee authorized under [this chapter](#) to fund a program to monitor impaired pharmacists, pharmacist-interns, or pharmacy technicians.

5. The board may accept, transfer, and expend funds made available by the federal or state government or by another public or private source to be used in a program authorized by [this section](#).

6. Funds and surcharges collected under [this section](#) shall be deposited in an account and may be used by the board to administer a program authorized by [this section](#), but shall not be used for costs incurred for a participant’s initial evaluation, referral services, treatment, or rehabilitation subsequent to intervention.

7. The board may disclose that the license of a pharmacist, the registration of a pharmacist-intern, or the registration of a pharmacy technician who is the subject of an order of the board that is confidential pursuant to [section 272C.6](#) is suspended, revoked, canceled, restricted, or retired; or that the pharmacist, pharmacist-intern, or pharmacy technician is in any manner otherwise limited in the practice of pharmacy; or other relevant information pertaining to the pharmacist, pharmacist-intern, or pharmacy technician which the board deems appropriate.

8. The board may adopt rules necessary for the implementation of [this section](#).

[97 Acts, ch 39, §5](#); [2017 Acts, ch 93, §3](#)