

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

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SENATE BILL 104

Short Title: Require Criminal BGC/Pharmacist Licensure. (Public)

Sponsors: Senators Tillman (Primary Sponsor); and Rabin.

Referred to: Rules and Operations of the Senate

February 20, 2017

1 A BILL TO BE ENTITLED
2 AN ACT REQUIRING CRIMINAL BACKGROUND CHECKS FOR APPLICANTS FOR
3 PHARMACIST LICENSURE.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 90-85.15 reads as rewritten:

6 "**§ 90-85.15. ~~Application and examination~~Application, qualifications, and criminal record**
7 **check for licensure as a pharmacist; prerequisites.**

8 (a) ~~Any person who desires to be licensed~~Each applicant for licensure under this Article as
9 a pharmacist shall file an application with the Executive Director on the form furnished by the
10 Board, verified under oath, setting forth ~~the~~all of the following:

11 (1) ~~The applicant's name, age, the~~name.

12 (2) ~~The applicant's age.~~

13 (3) ~~The place at which and the time that he the applicant has spent in the study of~~
14 ~~pharmacy, and his pharmacy.~~

15 (4) ~~The applicant's experience in compounding and dispensing prescriptions under~~
16 ~~the supervision of a pharmacist.~~

17 ~~The applicant shall also appear at a time and place designated by the Board and submit to an~~
18 ~~examination as to his qualifications for being licensed. The applicant must demonstrate to the~~
19 ~~Board his physical and mental competency to practice pharmacy.~~

20 (b) ~~On or after July 1, 1982, all applicants shall have received~~The Board shall license an
21 ~~applicant to practice pharmacy if, in addition to completing an application as specified in~~
22 ~~subsections (a) of this section, the applicant meets all of the following qualifications:~~

23 (1) ~~Holds an undergraduate degree from a school of pharmacy approved by the~~
24 ~~Board. Applicants shall be required to have had~~

25 (2) ~~Has had up to one year of experience, approved by the Board, under the~~
26 ~~supervision of a pharmacist and shall pass pharmacist.~~

27 (3) ~~Has passed the required examination offered by the Board. Upon completing~~
28 ~~these requirements and upon paying the required fee, the applicant shall be~~
29 ~~licensed.~~

30 (4) ~~Has appeared at a time and place designated by the Board and submitted to an~~
31 ~~examination as to the applicant's qualifications for being licensed. The applicant~~
32 ~~must demonstrate to the Board the physical and mental competency to practice~~
33 ~~pharmacy.~~

34 (c) ~~The Department of Public Safety may provide a criminal record check to the Board for~~
35 ~~a person who has applied for a license through the Board. The Board shall provide to the~~
36 ~~Department of Public Safety, along with the request, the fingerprints of the applicant, any~~



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1 additional information required by the Department of Public Safety, and a form signed by the
2 applicant consenting to the check of the criminal record and to the use of the fingerprints and other
3 identifying information required by the State or national repositories. The applicant's fingerprints
4 shall be forwarded to the State Bureau of Investigation for a search of the State's criminal history
5 record file, and the State Bureau of Investigation shall forward a set of the fingerprints to the
6 Federal Bureau of Investigation for a national criminal history check. The Board shall keep all
7 information pursuant to this subsection privileged, in accordance with applicable State law and
8 federal guidelines, and the information shall be confidential and shall not be a public record under
9 Chapter 132 of the General Statutes.

10 The Department of Public Safety may charge each applicant a fee for conducting the checks of
11 criminal history records authorized by this subsection. The Board shall require each applicant to
12 provide the Board with a criminal record report. All applicants shall obtain criminal record reports
13 from one or more reporting services designated by the Board to provide criminal record reports.
14 The Board shall keep all information obtained pursuant to this subsection privileged, in
15 accordance with applicable State law and federal guidelines, and the information shall be
16 confidential and shall not be a public record under Chapter 132 of the General Statutes. Applicants
17 are required to pay the designated reporting service for the cost of these reports."

18 **SECTION 2.** This act becomes effective January 1, 2018.