

LEGISLATIVE BILL 675

Approved by the Governor March 21, 1978

Introduced by Public Health and Welfare Committee, R. Lewis, 38, Chmn.; Cullan, 49; Rasmussen, 41; Kennedy, 21; Moylan, 6; R. Maresh, 32; Kelly, 35

AN ACT relating to public health; to provide for a temporary educational permit to practice pharmacy as prescribed; to define terms; to provide conditions for issuance; to provide for fees; and to provide for suspensions and revocations.

Be it enacted by the people of the State of Nebraska,

Section 1. For the purposes of this act, unless the context otherwise requires, the definitions found in sections 2 to 5 of this act shall be used.

Sec. 2. Temporary educational permit shall mean a permit to practice pharmacy in a supervised educational program approved by the Board of Examiners in Pharmacy.

Sec. 3. Graduate pharmacy education or approved program shall mean a period of supervised educational training by a graduate of an accredited school or college of pharmacy, which training has been approved by the Department of Health upon recommendation of the Board of Examiners in Pharmacy.

Sec. 4. Accredited hospital or clinic shall mean a hospital or clinic accredited by the Department of Health upon recommendation of the Board of Examiners in Pharmacy.

Sec. 5. Accredited school or college of pharmacy shall mean a school or college of pharmacy or a department of pharmacy of a university approved by the Board of Examiners in Pharmacy pursuant to the provisions of section 71-1,146, Reissue Revised Statutes of Nebraska, 1943.

Sec. 6. The Department of Health, upon the recommendation of the Board of Examiners in Pharmacy, shall have authority to issue temporary educational permits to qualified applicants in accordance with the provisions of this act.

Sec. 7. The holder of a temporary educational permit shall be entitled to practice pharmacy while serving in a supervised educational program or in an approved graduate pharmacy education program conducted by an accredited hospital or clinic in the State of Nebraska or by an accredited school or college of pharmacy in the State of Nebraska. The holder of a temporary educational permit shall not be qualified to engage in the practice of pharmacy outside of the assigned training program or outside the confines of the accredited hospital or clinic or the accredited school or college.

Sec. 8. Before any temporary educational permit is issued pursuant to this act, the Department of Health, upon recommendation of the Board of Examiners in Pharmacy, shall determine that the applicant for such permit is of good moral character and that such applicant has otherwise met all of the requirements of this act relating to issuing any such permit.

Sec. 9. Except as otherwise provided by law, the holder of any temporary educational permit shall be subject to all of the rules and regulations prescribed for pharmacists regularly licensed in the State of Nebraska and such other rules and regulations as may be adopted by the Department of Health upon the recommendation of the Board of Examiners in Pharmacy with respect to such permits in order to carry out the purposes of this act.

Sec. 10. The duration of any temporary educational permit issued pursuant to this act shall be determined by the Department of Health but in no case shall it be in excess of one year. The permit may be renewed from time to time at the discretion of the Department of Health but in no case shall it be renewed for more than five one-year periods.

Sec. 11. The department may issue to all qualified graduates of accredited colleges of pharmacy, who are eligible for the examination provided for in section 71-1,145, Reissue Revised Statutes of Nebraska, 1943, and who make application for such examination, a temporary educational permit, without charge. Such permit shall be issued only for the duration of the time between the date of the examination and the date of licensure granted as a result of such examination. Any person issued a temporary educational permit, without charge, shall meet all requirements provided for in this act, except payment of the required fee, and such exemption is only for the period of time between examination date and licensing date and for only those individuals who take the examination as provided in

section 71-1,145, Reissue Revised Statutes of Nebraska, 1943.

Sec. 12. Before granting any temporary educational permit, the Department of Health shall ascertain by evidence satisfactory to the department that an accredited hospital or clinic or an accredited school or college of pharmacy in the State of Nebraska has requested the issuance of a temporary educational permit for an applicant to serve as a graduate student in its approved program for the period involved. Any application for the issuance of such permit shall be signed by the applicant requesting that such permit be issued to him and shall designate the specified approved graduate pharmacy educational program with respect to which such permit shall apply.

Sec. 13. The recommendation of the Board of Examiners in Pharmacy for the issuance of any temporary educational permits shall be made at regular meetings of such board, but the chairman or one other member of the Board of Examiners in Pharmacy, as specifically selected by the members of such board, and its executive secretary, jointly shall have the power to recommend the issuance of such permits between the meetings of the board, which permits shall be subject to approval or disapproval at the next meeting of the Board of Examiners in Pharmacy.

Sec. 14. The recipient of a temporary educational permit shall pay an annual registration fee of fifteen dollars or any additional amount, deemed necessary by the Department of Health upon recommendation of the Board of Examiners in Pharmacy and established by departmental regulation to carry out the provisions of this act. In no case shall such fee exceed twenty-five dollars.

Sec. 15. Any temporary educational permit granted under the authority of this act may be suspended, limited, or revoked by the Department of Health upon recommendation of the Board of Examiners in Pharmacy at any time upon a finding that the reasons for issuing such permit no longer exist, or that the person to whom such permit has been issued is no longer qualified to hold such permit, or for any reason for which a regular license to practice pharmacy could be suspended, limited, or revoked. Methods of administrative procedure and judicial review thereof shall be identical to those applicable to regular licenses to practice pharmacy.

Sec. 16. The holder of a temporary educational permit shall not be entitled to a license for the

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practice of pharmacy in the State of Nebraska unless and until such individual meets all of the requirements of law for issuing such regular license.