Chapter 52. Board of Pharmacy.

(Rekeyed Version)

12 AAC 52 is amended by adding a new section to read:

12 AAC 52.105. Temporary military courtesy license. (a) The board will issue a temporary military courtesy license to an active duty military member or spouse of an active duty military member of the armed forces of the United States who meets the requirements of AS 08.01.063 and this section to practice as a pharmacist, pharmacy intern, or pharmacy technician not later than 30 days after the board receives a completed application.

(b) An applicant for a temporary military courtesy license under this section

(1) must submit a completed application on a form provided by the department;

(2) must pay the temporary license application fee and fee for a temporary license set out under 12 AAC 02.105;

(3) must submit a copy of

(A) the applicant’s current active duty military orders showing assignment to a duty station in this state; or

(B) if the applicant is the spouse of an active duty military member, the applicant’s spouse's current active duty military orders showing assignment to a duty station in this state;

(4) must submit verification on a form provided by the department that the applicant is currently licensed in another licensing jurisdiction and the applicant's license in the other jurisdiction is not suspended, revoked, or otherwise restricted except for failure to apply for renewal or failure to obtain the required continuing education requirements; and

(5) may not have been convicted of a felony or another crime that affects the applicant’s ability to practice as a pharmacist, pharmacy intern, or pharmacy technician.
competently and safely, as determined by the board.

(c) A temporary military courtesy license issued to an active duty military member or spouse of an active duty military member under this section will be issued for a period of 180 days and may be renewed for one additional 180-day period, at the discretion of the board.

(d) For an applicant applying for licensure under this section as a pharmacy technician, the board will accept

(1) any training completed while in the United States armed forces to work as a pharmacy technician; or

(2) any pharmacy technician license issued by another jurisdiction.

(e) While practicing under a temporary military courtesy license issued under this section, the holder of the temporary military courtesy license must comply with the standards of practice set out in AS 08.80 and this chapter.

(f) The board may refuse to issue a temporary military courtesy license for the same reasons that it may deny, suspend, or revoke a license under AS 08.80.261. (Eff. ___/___/____, Register ______)

Authority:  AS 08.01.062  AS 08.80.005  AS 08.80.150
            AS 08.01.063  AS 08.80.030  AS 08.80.261

12 AAC 52.110 is amended to read:

12 AAC 52.110. Emergency permit [LICENSURE] to practice as a pharmacist, pharmacy intern, or pharmacy technician. (a) If the board has identified an urgent situation, as defined under (j) of this section, the board may issue an emergency permit to practice as a pharmacist, pharmacy intern, or pharmacy technician to an applicant who meets the requirements of this section if the applicant [IF THE BOARD DETERMINES
THAT AN EMERGENCY EXISTS REQUIRING THE PROVISION OF LICENSED COVERAGE IN A PHARMACY THAT IS TEMPORARILY WITHOUT THE SERVICES OF A PHARMACIST DUE TO DEATH, ILLNESS, OR OTHER EMERGENCY CIRCUMSTANCES, THE BOARD MAY ISSUE AN EMERGENCY PHARMACIST, PHARMACY INTERN, OR PHARMACY TECHNICIAN PERMIT TO AN APPLICANT WHO]

(1) submits a completed application on a form provided by the department;

(2) pays the emergency permit fee required in 12 AAC 02.310;

(3) confirms [SUBMITS VERIFICATION] on a form provided by the department that the applicant holds a license [IS CURRENTLY LICENSED] in another licensing jurisdiction and the applicant's license in the other jurisdiction is not suspended, revoked, or otherwise restricted except for failure to apply for renewal or failure to obtain mandatory [THE REQUIRED] continuing education requirements;

(4) repealed 10/31/2019; and

(5) has not been convicted of a felony or another crime that affects the applicant's ability to practice pharmacy competently and safely.

(b) An emergency permit [UNDER (a) OF THIS SECTION] is nonrenewable, and is valid for 120 consecutive [90] days or until the urgent situation is determined by the board to [EMERGENCY CIRCUMSTANCES] no longer exist, whichever is sooner [SHORTER].

(c) Repealed 11/19/2020.

(d) Repealed ____/____/______ [IN AN URGENT SITUATION, THE BOARD MAY ISSUE AN EMERGENCY COURTESY LICENSE TO PRACTICE AS A PHARMACIST, PHARMACY INTERN, OR PHARMACY TECHNICIAN TO AN APPLICANT WHO MEETS THE REQUIREMENTS OF THIS SECTION. THE BOARD MAY RESTRICT THE LICENSE
TO ONLY THOSE SERVICES REQUIRED TO RESPOND TO THE URGENT SITUATION. THE LICENSEE MAY NOT PRACTICE AS A PHARMACIST, PHARMACY INTERN, OR PHARMACY TECHNICIAN OUTSIDE THE SCOPE OF THE LIMITED PURPOSE FOR WHICH THE EMERGENCY COURTESY LICENSE IS ISSUED].

(e) **Repealed ____/____/______** [AN APPLICANT FOR AN EMERGENCY COURTESY LICENSE UNDER THIS SECTION MUST SUBMIT TO THE DEPARTMENT A COMPLETED APPLICATION ON A FORM PROVIDED BY THE DEPARTMENT. A COMPLETE APPLICATION INCLUDES THE APPLICABLE APPLICATION AND LICENSING FEES ESTABLISHED IN 12 AAC 02.105].

(f) **Repealed ____/____/______** [AN EMERGENCY COURTESY LICENSE ISSUED UNDER THIS SECTION IS VALID FOR THE PERIOD SPECIFIED BY THE BOARD AND MAY NOT EXCEED 120 CONSECUTIVE DAYS. AN EMERGENCY COURTESY LICENSE MAY BE RENEWED FOR ONE ADDITIONAL PERIOD SPECIFIED BY THE BOARD, NOT TO EXCEED 120 CONSECUTIVE DAYS].

(g) The board will not issue, and an emergency permit [COURTESY LICENSE] holder may not use, an emergency permit [COURTESY LICENSE] as a substitute for a temporary license or other license required under AS 08.80.

(h) While practicing under an emergency permit [COURTESY LICENSE ISSUED UNDER THIS SECTION], the holder of the emergency courtesy license must comply with the standards of practice set out in AS 08.80 and this chapter.

(i) The board may refuse to issue an emergency permit [COURTESY LICENSE] for the same reasons that it may deny, suspend, or revoke a license under AS 08.80.261.

(j) In this section, "urgent situation" means a health crisis requiring an increased availability of pharmacists, pharmacy interns [.] or pharmacy technicians. (Eff. 1/16/98, Register
12 AAC 52.140(c) is repealed:

(c) Repealed ___/___/_____. (Eff. 1/16/98, Register 145; am 2/15/2006, Register 177; am 1/17/2007, Register 181; am ___/___/______, Register ____)

Authority: AS 08.80.005 AS 08.80.030

12 AAC 52.300 is amended to read:

12 AAC 52.300. License renewal. (a) Pharmacy, remote pharmacy, wholesale drug distributor, outsourcing facility, third-party logistics provider, pharmacist, pharmacy technician, and drug room licenses must be renewed biennially on or before a date set by the department [EXPIRE ON JUNE 30 OF EVEN-NUMBERED YEARS].

(b) An applicant for renewal of a pharmacy, wholesale drug distributor, outsourcing facility, third-party logistics provider, or drug room license must [SHALL] submit on or before the license expiration date

(1) a completed renewal application on a form provided by the department;
(2) the license renewal fees required in 12 AAC 02.310; and
(3) an attestation that a [COMPLETED] self-inspection of the premises using the [QUESTIONNAIRE ON A] form provided by the department was completed within the last two years or since the last time the license or registration was initially issued; the self-inspection must be retained by the applicant and be made available to the board upon request for the duration of the licensing period in which it was completed.
(c) An applicant for renewal of a pharmacist or pharmacy technician license shall submit on or before the license expiration date

(1) a completed renewal application on a form provided by the department;

(2) the license renewal fees required in 12 AAC 02.310; and

(3) an attestation that the applicant has met all continuing education requirements of 12 AAC 52.320 – 12 AAC 52.350;


(d) A pharmacy that has changed its name, physical address, or ownership since the date it was first issued or last renewed is not eligible for renewal.

(e) A wholesale drug distributor that has changed its name, physical address, ownership, or facility manager is not eligible for renewal if the change occurred 30 days after the date a renewal application is submitted to the board.

(f) An outsourcing facility or third-party logistics provider that has changed its name, physical address, ownership, or facility manager is not eligible for renewal.

(g) All renewal applications will be administratively processed and will not require board review unless the executive administrator has reason to believe that renewing the license poses an immediate threat to public health or safety. (Eff. 1/16/98, Register 145; am 2/26/2000, Register 153; am 5/5/2000, Register 154; am 5/26/2006, Register 178; am 4/3/2020, Register 234; am 8/30/2020, Register 235; am ____/____/______, Register _____)

Authority: AS 08.01.100 AS 08.80.030 AS 08.80.157
AS 08.80.005 AS 08.80.147 AS 08.80.165

12 AAC 52.993 is amended by adding a new paragraph to read:

(6) review and approve applications for licensure or registration as long as the
applicant meets the requirements established for the license type for which they are applying.

(Eff. 10/31/2019, Register 232; am ____/____/______, Register _____)

Authority: AS 08.80.005 AS 08.80.030 AS 08.80.270