



Notice of Proposed Changes to Occupational Licensing Fees for Professions Regulated by the Board of Pharmacy in the Regulations of the Department of Commerce, Community, and Economic Development

Proposed Regulations - FAQ

March 2023

1. Why are new fees being proposed?

The Board of Pharmacy is proposing to add manufacturer license occupation to the licensing categories. Under AS 08.01.065, the Division must establish fee levels so that the total amount of fees collected for an occupation approximately equals the actual regulatory costs for the occupation. The Division has reviewed the income and expenses for the occupational licensing program for the Board of Pharmacy and proposes fee changes that reflect, to the extent possible, the actual costs of the activities related to the program.

2. What are the proposed fees?

The fees proposed will add an application, license, and renewal fees for manufacturer license.

(Words in **boldface and underlined** indicate language being added; words [CAPITALIZED AND BRACKETED] indicate language being deleted.)

12 AAC 02.310. Board of Pharmacy. (a) The following fees are established for pharmacists, pharmacy interns, pharmacy technicians, pharmacies, wholesale drug distributors, drug dispensaries, outsourcing facilities, [AND] third-party logistics providers, **and manufacturers:**

(1) nonrefundable application fee for initial license, \$100, except that the fee for pharmacy technicians is \$0;

(2) temporary pharmacist license fee, \$50;

(3) emergency permit to practice pharmacy fee, \$100;

(4) pharmacy intern license fee, \$30.

(b) The following license and registration fees for all or part of the initial biennial licensing or registration period and subsequent biennial license and registration renewal fees are established for pharmacists, pharmacy technicians, remote and other pharmacies, wholesale drug distributors, outsourcing facilities, [AND] third-party logistics providers, **and manufacturers:**

(1) pharmacist, \$100;

(2) wholesale drug distributor, \$425;

(3) pharmacy, \$200;

- (4) drug room, \$150;
- (5) registered pharmacy located outside of the state, \$550;
- (6) pharmacy technician, \$25;
- (7) remote pharmacy, \$200;
- (8) non-resident wholesale drug distributor, \$550;
- (9) outsourcing facility, \$550;
- (10) third-party logistics provider, \$550;
- (11) manufacturer, \$550.**

3. How are the estimated costs determined?

AS 08.01.065 requires *all costs* of regulating the profession to be borne by its licensees. The proposed fees are based on known and anticipated costs.

4. What do licensing fees pay for?

The agency must create, publish, and manage licensing application forms and fees, which entail adherence to the state's recordkeeping, security, payment, and refund policies and procedures.

- Requirement of licensees to meet professional fitness standards, which are evaluated by the license examiner and referred to the agency's investigative unit if necessary for further review.
- Enforcement of disciplinary sanctions available to the agency if a licensee violates the state licensing statutes or regulations or an individual practices the profession without a license. Because state law requires all costs of a licensing program to be borne by the licensees of that program (AS 08.01.065), any investigative, attorney, or appeal expenses of the state will be recovered in the licensing fee.

5. When will the new fees be effective?

After the public comment deadline, comments received are compiled and given to the Division Director for consideration. The Division Director may adopt the regulation as written/publicly noticed, may amend and adopt them, or choose to take no action, or may withdraw the proposed regulations in part or in its whole. After Department action, the adopted regulations goes to Department of Law (DOL) for final review/approval. DOL either approves or disapproves regulations. Once approved by DOL, it goes to the Lt. Governor for filing. Regulation takes effect on the 30th day after they have been filed by the Lt. Governor.

Do you have a question that is not answered here? Please email RegulationsAndPublicComment@alaska.gov so it can be added.