

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control 680 Department or Agency: Alabama State Board of Pharmacy
Rule No. 680-X-3-.03
Rule Title: Time And Method Of Payment; Renewal And Non-Disciplinary
Penalty For Late Renewal Of Controlled Substances
 New X Amendment Repeal Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? Yes

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? Yes

Is there another, less restrictive method of regulation available that could adequately protect the public? No

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? No

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? No

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? Yes

Does the proposed action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule? No

Does the proposed rule have an economic impact? No

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Services Agency.

Signature of certifying officer *Donna C. Gaskman*
Date 5/8/2020

(DATE FILED)
(STAMP)

REC'D & FILED

MAY 14 2020

APA-2

ALABAMA STATE BOARD OF PHARMACY
NOTICE OF INTENDED ACTION

AGENCY NAME: ALABAMA STATE BOARD OF PHARMACY

RULE NO. AND TITLE:

680-X-3-.03 Time And Method Of Payment; Renewal And Non-Disciplinary
Penalty For Late Renewal Of Controlled Substances Permit.

INTENDED ACTION: AMEND AN EXCISTING RULE

SUBSTANCE OF PROPOSED ACTION:

To allow for non-disciplinary penalty for one occurrence in compliance with other rules.

TIME, PLACE, MANNER OR PRESENTING VIEW:

Oppositions can be submitted to the Alabama State Board of Pharmacy office. Business hours are 8:00am - 4:00pm Monday through Friday. Please present your views in writing, fax or email. Public hearing will be held July 22, 2020 at 9:00am

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Comments concerning this change must be received by the Alabama State Board of Pharmacy no later than July 15, 2020

CONTACT PERSON AT AGENCY:

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Donna C. Yeatman, R.Ph., Executive Secretary

680-X-3-.03 Time And Method Of Payment; Renewal And Non-Disciplinary Penalty For Late Renewal Of Controlled Substances Permit.

(1) Registration fees shall be paid at the time the application or renewal furnished by the Alabama State Board of Pharmacy for registration is submitted for filing. Payment shall be made payable to the Alabama State Board of Pharmacy and Pharmacy Board shall be due October 1 of each renewal cycle and delinquent after the last day of December of each renewal cycle. If the application for renewal and appropriate renewal fee is not received in the Board's office by December 31 of any renewal cycle but is received in the Board's office no later than January 31 of the following year, a one-time non-disciplinary administrative penalty of five hundred dollars (\$500.00) ~~fifty-percent (50%) of the prevailing renewal fee~~ must be paid. ~~by January 31 of the following year in order to renew.~~ This penalty shall be in addition to the prevailing renewal fee. Any subsequent instance of late renewal shall result in disciplinary action.

(2) This Rule is adopted pursuant to the Board's authority set forth in Code of Ala. 1975, §34-23-33(b) and is in lieu of formal disciplinary proceedings.

Author: Herb O. Bobo, R.Ph., Donna C Yeatman, R.Ph. Executive Secretary

Secretary Statutory Authority: Code of Ala. 1975, §34-23-50.

History: Filed June 1, 1982. **Amended:** Filed March 17, 2006; effective April 21, 2006. **Amended:** Filed July 8, 2010; effective August 12, 2010; operative September 1, 2010. **Amended:** filed December 31, 2019; effective February 14, 2020; **Amended:** filed May 15, 2020; effective