

**RULES
OF
THE TENNESSEE BOARD OF PHARMACY**

**CHAPTER 1140-08
CIVIL PENALTIES**

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1140-08-.01 Civil Penalties

1140-08-.01 CIVIL PENALTIES.

- (1) The Board may, in a lawful proceeding respecting licensing (as defined in the Uniform Administrative Procedures Act), in addition to or in lieu of any other lawful disciplinary action, assess civil penalties for violations of statutes, rules or orders enforceable by the Board in accordance with the following schedule:

Violation	Penalty
T.C.A. Section 63-10-305(1)	\$0 - \$1000
T.C.A. Section 63-10-305(2)	\$0 - \$1000
T.C.A. Section 63-10-305(3)	\$0 - \$1000
T.C.A. Section 63-10-305(4)	\$0 - \$1000
T.C.A. Section 63-10-305(5)	\$0 - \$1000
T.C.A. Section 63-10-305(6)	\$0 - \$1000
T.C.A. Section 63-10-305(7)	\$0 - \$1000
T.C.A. Section 63-10-305(8)	\$0 - \$1000

In determining the amount of any civil penalty to be assessed pursuant to this rule the board may consider such factors as the following:

- (a) Willfulness of the violation.
 - (b) Repetitions of the violation.
 - (c) Magnitude of the risk of harm caused by the violation.
- (2) Each violation of any statute, rule or order enforceable by the board shall constitute a separate and distinct offense and render the person committing the offense subject to a separate fine for each violation.
- (3) Each day any person, partnership, firm, or corporation or agency causes or permits a pharmacy practice site to be conducted in violation of any statutes, rules or orders enforceable by the board constitutes a separate and distinct offense and renders such person, partnership, firm, or corporation or agency subject to a separate fine for each day.

Authority: T.C.A. §§ 63-10-304, 63-10-305, 63-10-504(b)(1), and 63-10-505. **Administrative History:** Original rule filed November 15, 1989; effective December 30, 1989. Repeal and new rule filed May 11, 1998; effective July 25, 1998. Amendments filed November 22, 2016; effective February 20, 2017.