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Sequence Number: 09-08-11
Notice ID(s): 1664-1665
File Date: 09/19/2011

Notice of Rulemaking Hearing

Hearings will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, Tennessee Code Annotated, Section 4-5-204. For questions and copies of the notice, contact the person listed below.

Agency/Board/Commission:	Board of Pharmacy
Division:	
Contact Person:	Anthony K. Czerniak, Assistant General Counsel
Address:	Plaza One, Suite 210, 220 Athens Way, Nashville, Tennessee 37243
Phone:	(615) 741-1611
Email:	Anthony.k.czerniak@tn.gov

Any Individuals with disabilities who wish to participate in these proceedings (to review these filings) and may require aid to facilitate such participation should contact the following at least 10 days prior to the hearing:

ADA Contact:	ADA Coordinator at the Division of Health Related Boards
Address:	227 French Landing, Heritage Place, Nashville, Tennessee 37243
Phone:	(615) 532-3202 or (Toll Free) 1-800-778-4123
Email:	

Hearing Location(s) (for additional locations, copy and paste table)

Address 1:	Iris Conference Room		
Address 2:	227 French Landing, Heritage Place, Nashville, Tennessee 37243		
City:	Nashville, Tennessee		
Zip:	37243		
Hearing Date :	11/09/2011		
Hearing Time:	9:00AM	<input checked="" type="checkbox"/> CST	<input type="checkbox"/> EST

Additional Hearing Information:

Revision Type (check all that apply):

- Amendment
- New
- Repeal

Rule(s) (ALL chapters and rules contained in filing must be listed here. If needed, copy and paste additional tables. Please enter only **ONE** Rule Number/RuleTitle per row.)

Chapter Number	Chapter Title
1140-01	Introductory Rules
Rule Number	Rule Title

1140-01-.03	Application for a Pharmacist License
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Chapter Number	Chapter Title
1140-02	Professional Conduct and Responsibilities
Rule Number	Rule Title
1140-02-.02	Pharmacy Technicians

Chapter 1140-01

Amendments

Paragraph (1) of Rule 1140-01-.03 Application for a Pharmacist License is amended by deleting the text of the paragraph in its entirety and substituting instead the following language so that, as amended, the paragraph shall read:

- (1) An applicant for a license to engage in the practice of pharmacy shall submit the following to the Board office at time of application:
 - (a) A completed application on a form approved by the Board;
 - (b) Application and registration fees established in rule 1140-01-.10;
 - (c) The result of a criminal background check, which the applicant shall pay for and cause to be submitted to the Board's administrative office directly from the vendor identified in the Board's licensure application materials.
 - (d) Any application submitted which lacks required information or reflects a failure to meet any of the requirements for licensure will be returned to the applicant with written notification of the information that is lacking or the reason(s) the application does not meet the requirements for licensure and will be held in "pending" status until satisfactorily completed within a reasonable period of time, not to exceed sixty (60) days from date of written notification.

Authority: T.C.A. §§63-1-116, 63-10-304 and 63-10-306.

Chapter 1140-02

Amendments

Paragraph (1) of Rule 1140-02-.02 Pharmacy Technicians is amended by deleting the text of the paragraph in its entirety and substituting instead the following language, so that, as amended, the paragraph shall read:

- (1) Any person acting as a pharmacy technician shall register with the Board by submitting a complete application on a form prescribed by the Board accompanied by the following:
 - (a) A statement of good moral character;
 - (b) An affidavit signed by both the applicant and employer attesting that the applicant has read and understands the laws and rules relative to pharmacy technicians and the practice of pharmacy in Tennessee. (A copy of this affidavit shall be retained at the applicant's place of employment);
 - (c) Registration fee established in rule 1140-01-.10; and

- (e) The result of a criminal background check, which the applicant shall pay for and cause to be submitted to the Board's administrative office directly from the vendor identified in the Board's licensure application materials.

- (f) Any application submitted which lacks required information or reflects a failure to meet any of the requirements for registration will be returned to the applicant with written notification of the information that is lacking or the reason(s) the application does not meet the requirements for registration and will be held in "pending" status until satisfactorily completed within a reasonable period of time, not to exceed sixty (60) days from date of written notification.

Authority: T.C.A. §§63-1-116, 63-10-304 and 63-10-306(i).

I certify that the information included in this filing is an accurate and complete representation of the intent and scope of rulemaking proposed by the agency.

Date: 9/16/2011

Signature: _____

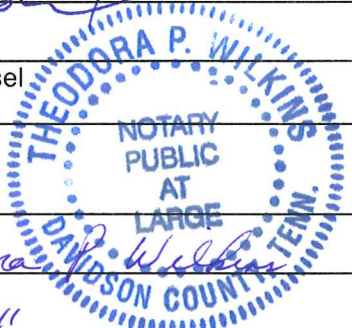
Name of Officer: Anthony K. Czerniak
Assistant General Counsel

Title of Officer: Department of Health

Subscribed and sworn to before me on: 9/16/11

Notary Public Signature: Theodora P. Wilkins

My commission expires on: 11/7/2011



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Filed with the Department of State on: _____

9/19/11

Tre Hargett

Tre Hargett
Secretary of State

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