

# Regulatory Analysis Form

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INDEPENDENT REGULATORY  
REVIEW COMMISSION

**Cocodrilli**

IRRC Number: 2006

(1) Agency

Department of State, Bureau of Professional and Occupational Affairs, State Board of Pharmacy

(2) I.D. Number (Governor's Office Use)

16A-548

(3) Short Title

**Application Fees**

(4) PA Code Cite

49 Pa. Code §27.91

(5) Agency Contacts & Telephone Numbers

Primary Contact: **April L. McClaine, Counsel**  
**State Board of Pharmacy**  
**(717)783-7200**

Secondary Contact: **C. Michael Weaver, Deputy**  
**Commissioner, BPOA**  
**(717)78 3-7194**

(6) Type of Rulemaking (check one)

- Proposed Rulemaking  
 Final Order Adopting Regulation  
 Final, Proposed Omitted

(7) Is a 120-Day Emergency Certification Attached?

- No  
Yes: By the Attorney General  
Yes: By the Governor

(8) Briefly explain the regulation in clear and nontechnical language.

The regulation amends the fee schedule for the State Board of Pharmacy by revising fees for applications for initial pharmacy licenses, new pharmacy permits, intern registration, changes in pharmacy permits, reinspections of new pharmacies after failure at first inspection, verifications of licenses and permits and certifications of examination scores and internship hours. The new fees are needed because the current fees established in 1988 no longer reflect the cost of providing the enumerated services.

(9) State the statutory authority for the regulation and any relevant state or federal court decisions.

The regulatory amendments are adopted under Section 8.2 of the Pharmacy Act, Act of September 27, 1961, P.L. 1700, as amended, 63 P.S. §390-8.2.

## Regulatory Analysis Form

(10) Is the regulation mandated by any federal or state law or court order, or federal regulation? If yes, cite the specific law, case or regulation, and any deadlines for action.

**Yes. The Board is required by statute to adopt regulations setting fees. See Item No. 9 for the specific law.**

(11) Explain the compelling public interest that justifies the regulation. What is the problem it addresses?

**The enabling statute of the Board requires that the Board set fees by regulation so that revenues meet or exceed expenditures over a biennial period. The operating expenses of the Board are generally borne by the licensee population through biennial renewal revenue. Expenses related to services which are provided directly to individual licensees or applicants are excluded from general operating revenues so that only the licensee who uses a particular service pays for a service being provided to him or her. By this regulation, the cost of providing the service will be apportioned to users, rather than burdening the entire licensee population.**

(12) State the public health, safety, environmental or general welfare risks associated with nonregulation.

**Nonregulation could potentially adversely impact the fiscal integrity of the Board. If left unregulated, the costs of providing these services would be borne by the general licensing population, some of whom did not or would not receive a benefit from the service.**

(13) Describe who will benefit from the regulation. (Quantify the benefits as completely as possible and approximate the number of people who will benefit.)

**The licensing population generally will benefit by having costs of services which are utilized by only a portion of the licensees or applicants paid by those actually using the service.**

## Regulatory Analysis Form

(14) Describe who will be adversely affected by the regulation. (Quantify the adverse effects as completely as possible and approximate the number of people who will be adversely affected.)

**The Board has identified no group of individuals or entities who will be adversely affected by the regulation. Applicants for services or licenses will be required to bear the up-to-date costs of providing the services involved.**

(15) List the persons, groups or entities that will be required to comply with the regulation. (Approximate the number of people who will be required to comply.)

**Applicants for intern certificates, pharmacist licenses, pharmacy permits, changes in pharmacy permits, verifications of licensure or permits and certification of scores or internship hours will be required to pay the applicable fees. The Board estimates that approximately 5,705 persons will avail themselves of one or more of the enumerated services in a two-year period.**

(16) Describe the communications with and input from the public in the development and drafting of the regulation. List the persons and/or groups who were involved, if applicable.

**These regulations do not place requirements on licensees concerning their conduct or compliance with state law regarding the performance of a licensing duty under licensing statutes. The regulation embodies the fees which capture the cost of providing the service an applicant or licensee requests. Therefore, the information requested in this item is not applicable.**

(17) Provide a specific estimate of the costs and/or savings to the regulated community associated with compliance, including any legal, accounting or consulting procedures which may be required.

**The Board estimates that 5,705 persons will avail themselves of one or more of the enumerated services within a biennial period. Total aggregate additional cost for the regulated community for a biennial period would be approximately \$42,075. However, only those requesting the services will be affected. No legal, accounting or consulting procedures will be implicated in complying with the regulatory amendments.**

## Regulatory Analysis Form

(18) Provide a specific estimate of the costs and/or savings to local governments associated with compliance, including any legal, accounting or consulting procedures which may be required.

**Local governments would not be affected by the regulation.**

(19) Provide a specific estimate of the costs and/or savings to state government associated with the implementation of the regulation, including any legal, accounting, or consulting procedures which may be required.

**The Board will not incur an increase in administrative costs by implementing the regulation. Indeed, the regulatory amendments will permit the Board to recoup the costs of providing the enumerated services.**

## Regulatory Analysis Form

(20) In the table below, provide an estimate of the fiscal savings and costs associated with implementation and compliance for the regulated community, local government, and state government for the current year and five subsequent years.

	Current FY Year	FY +1 Year	FY +2 Year	FY +3 Year	FY +4 Year	FY +5 Year
<b>SAVINGS:</b>	\$	\$	\$	\$	\$	\$
<b>Regulated</b>	\$8,000.0	\$8,000.0	\$8,000.0	\$8,000.0	\$8,000.0	\$8,000.0
<b>Local Government</b>						
<b>State Government</b>						
<b>Total Savings</b>						
<b>COSTS:</b>						
<b>Regulated</b>	\$29,037.5	\$29,037.5	\$29,037.5	\$29,037.5	\$29,037.5	\$29,037.5
<b>Local Government</b>						
<b>State Government</b>						
<b>Total Costs</b>						
<b>REVENUE LOSSES:</b>						
<b>Regulated</b>						
<b>Local Government</b>						
<b>State Government</b>						
<b>Total Revenue Losses</b>						

(20a) Explain how the cost estimates listed above were derived.

The cost estimates are based upon the following number of persons which the Board estimates will avail themselves of the specified service over a fiscal year (one-half biennium) period multiplied by the savings or additional cost to the applicant for the service:

- a) pharmacy intern certificate      \$5(s)\*    X    700 = \$3,500(s)
- b) pharmacist license                \$15(c)\*\* X    637.5 = \$9,562.50(c)
- c) certification of scores or hours   \$10(c)   X    400 = \$4,000(c)
- d) verification of license or permit   \$5(c)    X    650 = \$3,250 (c)
- e) pharmacy permit                    \$45(s)   X    100 = \$4,500 (s)
- f) reinspection after failure         \$45(c)   X      5 = \$225 (c)
- g) permit change without inspection   \$15(c)   X    200 = \$3,000(c)
- h) permit change with inspection     \$45(c)   X    200 = \$9,000(c)

\* designates savings

\*\* designates additional cost

### Regulatory Analysis Form

(20b) Provide the past three year expenditure history for programs affected by the regulation.

Program	FY -3	FY -2	FY -1	Current FY
See attached fee report forms.				

(21) Using the cost-benefit information provided above, explain how the benefits of the regulation outweigh the adverse effects and costs.

**The amendments to the existing regulations will assure that the costs of providing the specified services to certain applicants and licensees will be borne by individuals who receive the service.**

(22) Describe the nonregulatory alternatives considered and the costs associated with those alternatives. Provide the reasons for their dismissal.

**No nonregulatory alternatives were considered because the Board's enabling statute requires the Board to promulgate regulations to establish fees or changes thereto.**

(23) Describe alternative regulatory schemes considered and the costs associated with those schemes. Provide the reasons for their dismissal.

**See No. 22 above.**

## Regulatory Analysis Form

(24) Are there any provisions that are more stringent than federal standards? If yes, identify the specific provisions and the compelling Pennsylvania interest that demands stronger regulation.

**No federal licensure standards apply.**

(25) How does this regulation compare with those of other states? Will the regulation put Pennsylvania at a competitive disadvantage with other states?

**Based upon the Board's information and belief, the fees are generally consistent with the fees of other states. In any event, the fees for these services would not place Pennsylvania at a disadvantage with other states on a competitive basis.**

(26) Will the regulation affect existing or proposed regulations of the promulgating agency or other state agencies? If yes, explain and provide specific citations.

**This regulation will have no effect on other regulations of the Board or other state agencies.**

(27) Will any public hearings or informational meetings be scheduled? Please provide the dates, times, and locations, if available.

**The Board reviews its regulatory proposals at regularly scheduled public meetings each month, generally on the third Tuesday and Wednesday of the month.**

## Regulatory Analysis Form

(28) Will the regulation change existing reporting, record keeping, or other paperwork requirements? Describe the changes and attach copies of forms or reports which will be required as a result of implementation, if available.

**No changes to reporting, recordkeeping or other paperwork is required by this regulation.**

(29) Please list any special provisions which have been developed to meet the particular needs of affected groups or persons including, but not limited to, minorities, elderly, small businesses, and farmers.

**The Board has perceived no special needs of any subset of its applicants or licensees for whom special accommodations should be made.**

(30) What is the anticipated effective date of the regulation; the date by which compliance with the regulation will be required; and the date by which any required permits, licenses or other approvals must be obtained?

**The regulation will be effective upon publication in the *Pennsylvania Bulletin*.**

(31) Provide the schedule for continual review of the regulation.

**The Board reviews its revenues and costs of its programs on a fiscal year and biennial basis.**



## FEE REPORT FORM

**Agency:** State - BPOA **Date:** October 21, 1998  
**Contact:** C. Michael Weaver  
**Phone No.** 783-7194

### Fee Title, Rate and Estimated Collections:

Pharmacy Intern Registration Fee = \$ 30.00  
Estimated Biennial Revenue: \$42,000.00 (1,400 applications x \$30.00)

### Fee Description:

The fee will be charged to each applicant for registration as a Registered Intern.

### Fee Objective:

The fee should (1) offset the identifiable costs incurred by the State Board of Pharmacy to review and process an application for registration as a Registered Intern and (2) defray a portion of the Board's administrative overhead.

### Fee-Related Activities and Costs:

Board Staff- review application:	(0.50/hr)	10.15
Administrative Overhead:		17.28
	<b>Total Estimated Cost:</b>	<b>27.43</b>
	<b>Proposed Fee:</b>	<b>\$ 30.00</b>

### Analysis, Comment, and Recommendation:

It is recommended that a fee of \$30.00 be established to review an application for registration as a Pharmacist Intern.

Board staff receives application, reviews for completeness, contacts applicant to request any missing information, verifies applicant's educational background for compliance with regulations, verifies examination scores. Processes through computer and issues license if all requirements are met; notifies applicant of denial if ineligible.

## FEE REPORT FORM

Agency: State - BPOA Date: October 21, 1998  
Contact: C. Michael Weaver  
Phone No. 783-7194

### Fee Title, Rate and Estimated Collections:

License Application Fee = \$ 40.00

Estimated Biennial Revenue: \$ 51,000.00(1,275 applications x \$40.00)

### Fee Description:

The fee will be charged to each applicant for licensure as a Registered Pharmacist.

### Fee Objective:

The fee should (1) offset the identifiable costs incurred by the State Board of Pharmacy to review and process an application for licensure as a Registered Pharmacist and (2) defray a portion of the Board's administrative overhead.

### Fee-Related Activities and Costs:

Board Staff- review application:	(1.00/hr)	20.30
Administrative Overhead:		17.28
	Total Estimated Cost:	37.58
	Proposed Fee:	\$ 40.00

### Analysis, Comment, and Recommendation:

It is recommended that a fee of \$40.00 be established to review an application for licensure as a Registered Pharmacist.

Board staff receives application, reviews for completeness, contacts applicant to request any missing information, verifies applicant's educational background for compliance with regulations, verifies examination scores. Processes through computer and issues license if all requirements are met; notifies applicant of denial if ineligible.

## FEE REPORT FORM

**Agency:** State - BPOA

**Date:** October 21, 1998

**Contact:** C. Michael Weaver

**Phone No.** 783-7194

### **Fee Title, Rate and Estimated Collections:**

Certification of Scores or Intern Hours: \$ 25.00

Estimated Biennial Revenue: \$20,000.00 (800 certifications x \$25.00)

### **Fee Description:**

The fee will be charged to every applicant who requests certification of scores or intern hours.

### **Fee Objective:**

The fee should (1) offset the identifiable costs incurred by the State Board of Pharmacy to review and process a request for certification and (2) defray a portion of the Board's administrative overhead.

### **Fee-Related Activities and Costs:**

Staff time- process request for certification (.75 hr)	15.23
Bureau Average Administrative Overhead:	9.76
Total Estimated Cost:	\$24.99
Proposed Fee:	\$25.00

### **Analysis, Comment, and Recommendation:**

It is recommended that a fee of \$25.00 be established for certification of scores or intern hours.

**Board Staff:** Reviews request for certification of scores or intern hours; researches computer and microfilm files to retrieve pertinent information, transfers that information onto document submitted by requester, affixes Bureau seal onto documents, forwards as instructed by applicant.

## FEE REPORT FORM

**Agency:** State - BPOA

**Date:** October 21, 1998

**Contact:** C. Michael Weaver

**Phone No.** 783-7194

### **Fee Title, Rate and Estimated Collections:**

Verification of Licensure or Permit: \$15.00

Estimated Biennial Revenue: \$19,500.00 (1,300 verifications x \$15.00)

### **Fee Description:**

The fee will be charged to every applicant who requests verification of licensure or permit.

### **Fee Objective:**

The fee should (1) offset the identifiable costs incurred by the State Board of Pharmacy to review and process a request for verification and (2) defray a portion of the Board's administrative overhead.

### **Fee-Related Activities and Costs:**

Staff time- process request for verification	(.08 hr)	1.62
Bureau Average Administrative Overhead:		9.76
	Total Estimated Cost:	\$11.38
	Proposed Fee:	\$15.00

### **Analysis, Comment, and Recommendation:**

It is recommended that a fee of \$15.00 be established for verification of licensure or permit.

**Page 2**

**Verification of Licensure or Permit**

**October 21, 1998**

Board Staff: Reviews request for verification, researches computer, microfilm or other files to retrieve pertinent information, transfers that information onto document submitted by requester, affixes Bureau seal onto documents, forwards as instructed by applicant.



## FEE REPORT FORM

Agency: State - BPOA  
Contact: C. Michael Weaver  
Phone No. 783-7194

Date: October 21, 1998

### Fee Title, Rate and Estimated Collections:

New Pharmacy Application Fee = \$ 100.00

Estimated Biennial Revenue: \$20,000.00 (200 applications x \$100.00)

### Fee Description:

The fee will be charged to each applicant for registration of a new Pharmacy.

### Fee Objective:

The fee should (1) offset the identifiable costs incurred by the State Board of Pharmacy to review and process an application for registration for a new Pharmacy and (2) defray a portion of the Board's administrative overhead.

### Fee-Related Activities and Costs:

Board Staff- review application:	(1.00/hr)	20.30
Law Enforcement-Inspection:	(2.00/hr)	60.40
Administrative Overhead:		17.28

Total Estimated Cost:	97.98
Proposed Fee:	\$ 100.00

### Analysis, Comment, and Recommendation:

It is recommended that a fee of \$100.00 be established to process an application for registration of a new Pharmacy.

Board staff receives application, reviews for completeness, contacts applicant to request any missing information. Forwards to Bureau of Enforcement and Investigation for inspection & confirmation of compliance with regulations. After receipt of inspection results from B.E.I., processes through computer and issues license if all requirements are met; issues discrepancy notice if requirements are not met.

## FEE REPORT FORM

Agency: State - BPOA Date: October 21, 1998  
Contact: C. Michael Weaver  
Phone No. 783-7194

### Fee Title, Rate and Estimated Collections:

Each re-inspection after 1<sup>st</sup> failure (New Pharmacy) = \$ 90.00

Estimated Biennial Revenue: \$900.00 (10 applications x \$90.00)

### Fee Description:

The fee will be charged for each re-inspection required to issue a new Pharmacy Permit.

### Fee Objective:

The fee should (1) offset the identifiable costs incurred by the State Board of Pharmacy to re-inspect (after 1<sup>st</sup> failure) a new Pharmacy prior to issuing permit and (2) defray a portion of the Board's administrative overhead.

### Fee-Related Activities and Costs:

Board Staff- review application:	(.50/hr)	10.15
Law Enforcement-Inspection:	(2.00/hr)	60.40
Administrative Overhead:		17.28
	Total Estimated Cost:	87.73
	Proposed Fee:	\$90.00

### Analysis, Comment, and Recommendation:

It is recommended that a fee of \$90.00 be established to re-inspect (after 1<sup>st</sup> failure) a new Pharmacy.

If all requirements are not met at 1<sup>st</sup> inspection, Bureau of Enforcement and Investigation notifies Board Office and schedules another inspection. Results of the re-inspection are forwarded to Board Office for processing, either through computer to issue license if all requirements are met or by discrepancy notice if requirements are not met. The charge is imposed for every re-inspection necessary to determine compliance.

## FEE REPORT FORM

Agency: State - BPOA  
Contact: C. Michael Weaver  
Phone No. 783-7194

Date: October 21, 1998

### Fee Title, Rate and Estimated Collections:

Pharmacy Change/No Inspection Required = \$ 30.00

Estimated Biennial Revenue: \$12,000.00 (400 applications x \$30.00)

### Fee Description:

The fee will be charged for each application to modify an existing Pharmacy Permit (change of manager, ownership, director or postal change not requiring an inspection).

### Fee Objective:

The fee should (1) offset the identifiable costs incurred by the State Board of Pharmacy to process a change to modify an existing Pharmacy and (2) defray a portion of the Board's administrative overhead.

### Fee-Related Activities and Costs:

Board Staff- review application:	(.50/hr)	10.15
Administrative Overhead:		17.28
	Total Estimated Cost:	27.43
	Proposed Fee:	\$30.00

### Analysis, Comment, and Recommendation:

It is recommended that a fee of \$30.00 be established to process a pharmacy permit change application if no inspection is required.

**Page 2 Pharmacy Permit Change/No Insp. Required:**

**October 21, 1998**

Board staff - receives application from a currently licensed pharmacy requesting a change that does not require an inspection of facilities (change in manager, change of ownership, etc.). Information is verified and change is processed by issuing revised license through computer or notifying applicant that additional information/clarification is necessary prior to processing.

# FEE REPORT FORM

Agency: State - BPOA

Date: October 21, 1998

Contact: C. Michael Weaver

Phone No. 783-7194

## Fee Title, Rate and Estimated Collections:

Pharmacy Change/ Inspection Required = \$95.00

Estimated Biennial Revenue: \$38,000.00 (400 applications x \$95.00)

## Fee Description:

The fee will be charged for each application to modify an existing Pharmacy Permit when an inspection is required.

## Fee Objective:

The fee should (1) offset the identifiable costs incurred by the State Board of Pharmacy to process a change application requiring an inspection and (2) defray a portion of the Board's administrative overhead.

## Fee-Related Activities and Costs:

Board Staff- review application:	(.75/hr)	15.23
Law Enforcement Staff- inspection:	(2.0/hr)	60.40
Administrative Overhead:		17.28

Total Estimated Cost:	92.91
Proposed Fee:	\$95.00

## Analysis, Comment, and Recommendation:

It is recommended that a fee of \$95.00 be established to process a pharmacy permit change application requiring an inspection.

**Page 2 Pharmacy Change Requiring Inspection:**

**October 21, 1998**

Board staff - receives application from a currently licensed pharmacy requesting a change that requires an inspection of facilities due to remodeling or expansion, etc. Reviews for completeness, contacts applicant to request any missing information, forwards request to Bur. of Enforcement and Investigation for inspection and confirmation of compliance with regulations. Following receipt of inspection results from B.E.I., processes through computer by issuing revised license or notifying applicant that additional information/clarification is necessary prior to processing.



FACE SHEET  
FOR FILING DOCUMENTS  
WITH THE LEGISLATIVE REFERENCE BUREAU

(Pursuant to Commonwealth Documents Law)

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INDEPENDENT AGENCY  
REVIEW COMMISSION

DO NOT WRITE IN THIS SPACE

Copy below is hereby approved as to form and legality. Attorney General

Copy below is hereby certified to be a true and correct copy of a document issued, prescribed or promulgated by:

Copy below is approved as to form and legality. Executive or Independent Agencies.

*[Signature]*  
(DEPUTY ATTORNEY GENERAL)

State Board of Pharmacy

(AGENCY)

*[Signature]*  
BY:

FEB 09 1999.

DATE OF APPROVAL

DOCUMENT/FISCAL NOTE NO. 16A-548

DATE OF ADOPTION:

BY: *[Signature]*

Paula L. Castor, R.Ph.

1/28/99

DATE OF APPROVAL

(Deputy General Counsel  
(Chief Counsel,  
Independent Agency  
(Strike inapplicable  
title)

TITLE: Chairman

(EXECUTIVE OFFICER, CHAIRMAN OR SECRETARY)

[ ] Check if applicable  
Copy not approved.  
Objections attached.

[ ] Check if applicable. No Attorney General approval or objection within 30 day after submission.

NOTICE OF PROPOSED RULEMAKING  
COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF STATE  
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS  
STATE BOARD OF PHARMACY  
49 PA. CODE, CHAPTER 27  
APPLICATION FEES

The State Board of Pharmacy (Board ) proposes to amend its regulation at 49 Pa. Code §27.91 by revising certain application fees as set forth in Annex A.

**A. Effective date**

The amendments will be effective upon publication of the final form regulation in the Pennsylvania Bulletin.

**B. Statutory Authority**

The amendments are authorized under Section 8.2 of the Pharmacy Act, Act of September 27, 1961, P.L. 1700, as amended, 63 P.S. §390-8.2.

**C. Background and Purpose**

The Pharmacy Act requires the Board to set fees by regulation so that revenues meet or exceed expenditures over a biennial period. General operating expenses of the Board are funded through biennial license renewal fees. Expenses related to applications or services which are provided directly to individual licensees or applicants are excluded from general operating revenues and are funded through fees in which the cost of providing the service forms the basis for the fee.

In a recent systems audit of the operations of the Board within the Bureau of Professional and Occupational Affairs, the fees for services to licensees and applicants were analyzed to determine if the fees reflected the actual cost of providing the services. Actual cost calculations are based upon the following formula:

$$\begin{array}{r} \text{number of minutes to perform the function} \\ \times \\ \text{pay rate for the classification of personnel performing the function} \\ + \\ \text{a proportionate share of administrative overhead.} \end{array}$$

The analysis determined that the fees for applications for initial pharmacy licenses, new pharmacy permits, intern registration, changes in pharmacy permits, reinspections of new pharmacies after failure at first inspection, verifications of licenses and permits, and certifications of examination scores and internship hours did not accurately reflect the actual cost involved of providing the services. Fees for the Board in these categories have not been revised since 1988. In some cases the fees exceeded actual cost, but in most, the fees fell short of the cost to provide the service.

In this proposal, fees for the services identified would be adjusted to allocate costs to those who use the service or application. The Board would continue to apportion the enforcement and operating costs to the general licensing population when the Board makes its biennial reconciliation of revenue and expenditures.

**D. Description of Proposed Amendments**

The following table outlines the affected application fees and proposed changes:

<u>Application/Service</u>	<u>Current Fee</u>	<u>Proposed Fee</u>
Application for Pharmacy Intern Certificate	\$ 35.00	\$ 30.00
Application for Pharmacist License	\$ 25.00	\$ 40.00
Certification of Examination Scores or Internship Hours	\$ 15.00	\$ 25.00
Verification of Licensure	\$ 10.00	\$ 15.00
New Pharmacy Permit Application	\$145.00	\$100.00
Reinspection of New Pharmacy After Failure at First Inspection	\$ 45.00	\$ 90.00
Pharmacy Permit Change without Inspection	\$ 15.00	\$ 30.00
Pharmacy Permit Change when Inspection Required	\$ 50.00	\$ 95.00
Change in Pharmacy Ownership or Board of Directors	\$ 15.00	\$ 30.00
Verification of Permit	\$ 10.00	\$ 15.00

**E. Compliance with Executive Order 1996-1**

In accordance with the requirements of Executive Order 1996-1 (February 6, 1996), in drafting and promulgating the regulation the Board considered the least restrictive alternative to regulate costs for services requested by licensees and applicants.

**F. Fiscal Impact and Paperwork Requirements**

The proposed amendments will have no adverse fiscal impact on the Commonwealth or its political subdivisions. The fees will have a modest fiscal impact on those members of the private sector who apply for services from the Board. The amendments will impose no additional paperwork requirements upon the Commonwealth, political subdivisions or the private sector.

**G. Sunset Date**

The Board continuously monitors the cost effectiveness of its regulations. Therefore, no sunset date has been assigned.

**H. Regulatory Review**

Pursuant to Section 5(a) of the Regulatory Review Act, the Act of June 30, 1989 (P.L. 73, No. 19), as amended, 71 P.S. §745.5(a), the Board submitted a copy of this proposed regulation on February 17, 1999, to the Independent Regulatory Review Commission and the Chairmen of the House Professional Licensure Committee and the Senate Consumer Protection and Professional Licensure Committee. In addition to submitting the regulation, the Board has provided the Commission and the Committees with a copy of a detailed regulatory analysis form prepared by the Board in compliance with Executive Order 1996-1, "Regulatory Review and Promulgation." A copy of this material is available to the public upon request.

If the Commission has any objections to any portion of the proposed regulation, it will notify the Board by \_\_\_\_\_ (30 days after the close of the public comment period). Such notification shall specify the regulatory review criteria which have not been met by that portion. The Act specifies detailed procedures for review, prior to final publication of the regulation, by the Board, the General Assembly and the Governor, of objections raised.

**I. Public Comment**

Interested persons are invited to submit written comments, suggestions or objections regarding the proposed amendments to Rita T. Solie, Chief, Health Licensing Division, State Board of Pharmacy, P. O. Box 2649, Harrisburg, PA 17105-2649, within 30 days of publication of this proposed rulemaking. Please reference No. 16A-548 (Application Fees), when submitting comments.

ANNEX A

TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS  
PART I. DEPARTMENT OF STATE  
SUBPART A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS  
CHAPTER 27. STATE BOARD OF PHARMACY

FEEES

§27.91. Schedule of fees.

An applicant for a license, certificate, permit or service shall pay the following fees at the time of application:

Application for pharmacy intern certificate.....	[\$35]	\$30
Application for pharmacist license.....	[\$25]	\$40
[Effective with the March 1997 examinations:		
North American Pharmacist Licensure		
Examination (NAPLEX).....		\$250
Federal Drug Law Examination (FDLE).....		\$75
Effective with the November 1, 1998 examinations:]		
North American Pharmacist Licensure Examination (NAPLEX).....		\$250
Multistate Pharmacy Jurisprudence Examination (MPJE).....		\$85
Certification of examination scores or internship hours.....	[\$15]	\$25
[Certification of current] <u>Verification of licensure</u> .....	[\$10]	\$15
Assistant pharmacist biennial renewal.....		\$120
Registered pharmacist biennial renewal.....		\$120
Registered pharmacist late renewal penalty.....		\$25
New pharmacy permit application.....	[\$145]	\$100
Reinspection of new pharmacy after failure at first inspection.....	[\$45]	\$90
Pharmacy permit change without inspection.....	[\$15]	\$30
Pharmacy permit change when inspection required.....	[\$50]	\$95
Change in pharmacy ownership or Board of Directors.....	[\$15]	\$30
[Certification of valid] <u>Verification of permit</u> .....	[\$10]	\$15
Biennial renewal of pharmacy permit.....		\$75
Pharmacy permit late renewal penalty.....		\$25



COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF STATE  
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS  
STATE BOARD OF PHARMACY

(717) 783-7156

116 PINE STREET  
P. O. BOX 2649  
HARRISBURG, PA  
17105-2649

February 18, 1999

The Honorable John R. McGinley, Jr.  
Chairman, Independent Regulatory Review Commission  
Harristown 2, 14th Floor  
333 Market Street  
Harrisburg, PA 17101


RE: Proposed Regulation  
State Board of Pharmacy  
Application Fees: 16A-548

Dear Chairman McGinley:

Enclosed is a copy of a proposed rulemaking package of the State Board of Pharmacy pertaining to application fees.

The Board will be pleased to provide whatever information the Commission may require during the course of its review of the rulemaking.

Sincerely,

  
Frank A. Rubino, R.Ph., Chairman  
State Board of Pharmacy

FAR:ALM:apm  
Enclosures

cc: Hon. Kim Pizzingrilli, Acting Secretary of the Commonwealth  
Department of State  
Deborah M. Griffiths, Regulatory Review Officer  
Department of State  
Robert J. DeSousa, Chief Counsel  
Department of State  
Joyce McKeever, Deputy Chief Counsel  
Department of State  
Dorothy Childress, Commissioner  
Bureau of Professional and Occupational Affairs  
State Board of Pharmacy

**TRANSMITTAL SHEET FOR REGULATIONS SUBJECT TO THE  
REGULATORY REVIEW ACT**

RECEIVED

I.D. NUMBER: 16A-548  
 SUBJECT: State Board of Pharmacy - Application Fees  
 AGENCY: DEPARTMENT OF STATE

99 FEB 17 AM 9: 55

INDEPENDENT REGULATORY  
REVIEW COMMISSION

**TYPE OF REGULATION**

- X Proposed Regulation
- Final Regulation
- Final Regulation with Notice of Proposed Rulemaking Omitted
- 120-day Emergency Certification of the Attorney General
- 120-day Emergency Certification of the Governor
- Delivery of Tolled Regulation
  - a. With Revisions
  - b. Without Revisions

**FILING OF REGULATION**

DATE	SIGNATURE	DESIGNATION
2-17-99	<i>Lori A. Clark</i>	HOUSE COMMITTEE ON PROFESSIONAL LICENSURE
2/17/99	<i>Annal Zuber</i>	✓ SENATE COMMITTEE ON CONSUMER PROTECTION & PROFESSIONAL LICENSURE
2/17/99	<i>Kim C. Garner</i>	✓ INDEPENDENT REGULATORY REVIEW COMMISSION
		ATTORNEY GENERAL
2/17/99	<i>Christie J. Lee</i>	✓ LEGISLATIVE REFERENCE BUREAU

February 11, 1999