

COMMITTEES

PROFESSIONAL LICENSURE – MAJORITY CHAIRMAN
FINANCE
RULES
MAJORITY POLICY
CAPITOL PRESERVATION

P. MICHAEL STURLA, MEMBER
MAJORITY DEPUTY WHIP
333 MAIN CAPITOL BUILDING
P.O. BOX 202096
HARRISBURG, PENNSYLVANIA 17120-2096
PHONE: (717) 787-3555
FAX: (717) 705-1923

#2663



House of Representatives
COMMONWEALTH OF PENNSYLVANIA
HARRISBURG

THE GRIEST BUILDING
8 NORTH QUEEN STREET
SUITE 1100
LANCASTER, PENNSYLVANIA 17603
PHONE: (717) 295-3157
FAX: (717) 295-7816

February 13, 2008

Mr. Kim Kaufman
Executive Director
Independent Regulatory Review Commission
333 Market Street, 14th Floor
Harrisburg, PA 17101

RE: Proposed Regulation 16A-5420
State Board of Pharmacy
Pharmacist Breaks

Dear Mr. Kaufman:

The House Professional Licensure Committee on this date voted to take no formal action on Regulation 16A-5420 until final regulation is promulgated and submit the following comments:

1. The Committee questions whether the 30 minute break limit is consistent with labor laws and the policies of large pharmacies.
2. Is the limit one 30 minute break during an entire shift? If it is only one 30 minute break for the entire shift, do breaks to go to the restroom take away from the 30 minute time period? How frequently are the breaks taken?
3. The Committee questions what the protocol should be for a customer that would like counseling by the pharmacist if the pharmacist is on break. Will the patient have to wait until the pharmacist is back from the break, or will the pharmacist cut their break short so that they can counsel the individual, or is this a policy decision for the individual pharmacies?

Sincerely,

P. Michael Sturla
Chairman, House Professional Licensure Committee

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