

45:14-1

LEGISLATIVE HISTORY CHECKLIST
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(Board of Pharmacy--selection)

NJSA: 45:14-1

LAWS OF: 1994 **CHAPTER:** 166

BILL NO: A368

SPONSOR(S): Felice

DATE INTRODUCED: Pre-filed

COMMITTEE: **ASSEMBLY:** Commerce

SENATE: Commerce

AMENDED DURING PASSAGE: Yes Amendments during passage
First reprint enacted denoted by asterisks

DATE OF PASSAGE: **ASSEMBLY:** March 10, 1994

SENATE: November 10, 1994

DATE OF APPROVAL: December 20, 1994

FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:

SPONSOR STATEMENT: Yes

COMMITTEE STATEMENT: **ASSEMBLY:** Yes

SENATE: Yes

FISCAL NOTE: No

VETO MESSAGE: No

MESSAGE ON SIGNING: No

FOLLOWING WERE PRINTED:

REPORTS: No

HEARINGS: No

KBG:pp

[FIRST REPRINT]
ASSEMBLY, No. 368

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1994 SESSION

By Assemblyman FELICE

1 AN ACT concerning the membership of the Board of Pharmacy of
2 the State of New Jersey and amending R.S.45:14-1 and
3 R.S.45:14-3.

4
5 BE IT ENACTED *by the Senate and General Assembly of the*
6 *State of New Jersey:*

7 1. R.S.45:14-1 is amended to read as follows:
8 45:14-1. The board of pharmacy of the State of New Jersey,
9 hereinafter in this chapter designated as the "board", established
10 by an act entitled "An act to regulate the practice of pharmacy
11 in this State," approved March nineteenth, one thousand nine
12 hundred and one (L.1901, c.51, p.85), as amended and
13 supplemented, is continued. The board shall consist of nine
14 members, two of whom shall be public members and one of whom
15 shall be a State executive department member appointed
16 pursuant to the provisions of P.L.1971, c.60 (C.45:1-2.1 et seq.).
17 Each of the remaining six members shall be appointed from time
18 to time as hereinafter directed by the Governor, shall be a
19 citizen of and an able and skilled registered pharmacist in this
20 State, shall have been registered as a pharmacist in this State for
21 at least five years prior to his appointment, shall be actually
22 engaged either in conducting or directly supervising a pharmacy
23 at the time of his appointment and shall continue in the practice
24 of pharmacy during the term of his office. No member shall be a
25 teacher or instructor in any college of pharmacy. Upon the
26 expiration of the term of office of a member, his successor shall
27 be appointed by the Governor for a term of five years from June
28 first of the year in which the term of such former member
29 expired, and the terms of not more than two members who are
30 registered pharmacists shall expire in any year. Any vacancy in
31 the membership of the board shall be filled for the unexpired
32 term in the manner provided for an original appointment; and the
33 New Jersey Pharmaceutical Association, the New Jersey Council
34 of Chain Drug Stores, the Garden State Pharmacy Owners
35 Association, and the New Jersey Society of Hospital Pharmacists
36 may each annually send to the Governor the names of four
37 registered pharmacists engaged in the practice of pharmacy in
38 this State and having the qualifications required by this section,
39 one of whom the Governor may appoint to fill any vacancy
40 occurring in the board.

41 ¹[Notwithstanding the provisions of section 2 of P.L.1971, c.60
42 (C.45:1-2.2) to the contrary, in] In¹ appointing members to the
43 board ¹to fill vacancies of members¹ who are eligible to practice
44 pharmacy, the Governor shall appoint members in such a manner

EXPLANATION--Matter enclosed in bold-faced brackets [thus] in the
above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Assembly floor amendments adopted February 17, 1994.

1 so that the membership of the board ¹[include] includes¹ at all
2 times at least one pharmacist who represents a chain drug
3 retailer, one pharmacist who works in a hospital, and one
4 pharmacist who owns a pharmacy.

5 As used in this section, "chain drug retailer" means a
6 corporation which operates seven or more retail pharmacies,
7 drugstores or pharmacy departments under a common trade name.
8 (cf: P.L.1985, c.89, s.1)

9 2. R.S.45:14-3 is amended to read as follows:

10 45:14-3. The board shall elect a president, a secretary who
11 may or may not be a member of the board, and a treasurer, and
12 may make by-laws and rules for the proper fulfillment of its
13 duties under this chapter. It shall meet on the third Thursday of
14 January, April, July and October, in the city of Trenton, and at
15 such other times and places as may be required. It shall examine
16 into all applications for registration, and grant certificates of
17 registration to all persons whom it shall judge on examination to
18 be properly qualified to practice pharmacy. The examination shall
19 include the subjects of materia medica, pharmacy, chemistry and
20 toxicology. It shall keep a book of registration in which shall be
21 entered the names and places of business of all persons registered
22 under this chapter, and also a book of record of all its official
23 transactions, which books shall be legal evidence of such
24 transactions in any court of law. It may examine into all cases of
25 alleged violations of this chapter and shall cause the prosecution
26 of all persons not complying therewith; and it shall annually
27 report to the governor and to the New Jersey Pharmaceutical
28 Association, the New Jersey Council of Chain Drug Stores, the
29 Garden State Pharmacy Owners Association, and the New Jersey
30 Society of Hospital Pharmacists, on or before the first day of
31 November in each year, upon the condition of pharmacy in the
32 state, which report shall embrace a detailed statement of the
33 receipts and expenditures of the board.

34 (cf: R.S.45:14-3)

35 3. This act shall take effect immediately.

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40 Revises criteria for selection of members of Board of Pharmacy.

1 who are eligible to practice pharmacy, the Governor shall appoint
2 members in such a manner so that the membership of the board
3 include at all times at least one pharmacist who represents a
4 chain drug retailer, one pharmacist who works in a hospital, and
5 one pharmacist who owns a pharmacy.

6 As used in this section, "chain drug retailer" means a
7 corporation which operates seven or more retail pharmacies,
8 drugstores or pharmacy departments under a common trade name.

9 (cf: P.L.1985, c.89, s.1)

10 2. R.S.45:14-3 is amended to read as follows:

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24 transactions, which books shall be legal evidence of such
25 transactions in any court of law. It may examine into all cases of
26 alleged violations of this chapter and shall cause the prosecution
27 of all persons not complying therewith; and it shall annually
28 report to the governor and to the New Jersey Pharmaceutical
29 Association, the New Jersey Council of Chain Drug Stores, the
30 Garden State Pharmacy Owners Association, and the New Jersey
31 Society of Hospital Pharmacists, on or before the first day of
32 November in each year, upon the condition of pharmacy in the
33 state, which report shall embrace a detailed statement of the
34 receipts and expenditures of the board.

35 (cf: R.S.45:14-3)

36 3. This act shall take effect immediately.

37 38 39 STATEMENT

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41 This bill changes the composition of the Board of Pharmacy of
42 the State of New Jersey to include pharmacists from the chain
43 drug store and hospital pharmacy sectors as well as a pharmacist
44 who owns a pharmacy. Despite the fact that the board regulates
45 and licenses all pharmacists in the State, and all areas where
46 drugs are dispensed, current law does not provide for
47 representation on the board of all groups participating in the
48 profession of pharmacy. The bill rectifies the situation by
49 assuring that the various components of the profession are
50 represented on the board, which is in the public interest inasmuch
51 as all of these groups are vital for the provision of health services
52 in New Jersey.

53 A present statutory requirement is that the board report
54 annually to the Governor and the New Jersey Pharmaceutical

1 Association. The bill provides that the board also report annually
2 to the New Jersey Council of Chain Drug Stores, the Garden
3 State Pharmacy Owners Association, and the New Jersey Society
4 of Hospital Pharmacists. Furthermore, this bill amends
5 R.S.45:14-1 by stipulating that those members of the board who
6 are registered pharmacists shall be actually engaged either in
7 conducting or directly supervising a pharmacy at the time of
8 their appointment. Under existing law, only those registered
9 pharmacists who are actually engaged in conducting a pharmacy
10 at the time of their appointment are eligible to serve on the
11 board.

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16 Revises criteria for selection of members of Board of Pharmacy.

ASSEMBLY COMMERCE AND REGULATED
PROFESSIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 368

STATE OF NEW JERSEY

DATED: JANUARY 24, 1994

The Assembly Commerce and Regulated Professions Committee reports favorably Assembly Bill No. 368.

This bill changes the composition of the Board of Pharmacy of the State of New Jersey to include a pharmacist who represents a chain drug retailer, a pharmacist who works in a hospital, as well as a pharmacist who owns a pharmacy. As defined in the bill, "chain drug retailer" means a corporation which operates seven or more retail pharmacies, drug stores or pharmacy departments under a common trade name.

A present statutory requirement is that the board report annually to the Governor and the New Jersey Pharmaceutical Association. The bill provides that the board also report annually to the New Jersey Council of Chain Drug Stores, the Garden State Pharmacy Owners Association, and the New Jersey Society of Hospital Pharmacists. Furthermore, this bill amends R.S.45:14-1 by stipulating that those members of the board who are registered pharmacists shall be actually engaged either in conducting or directly supervising a pharmacy at the time of their appointment. Under existing law, only those registered pharmacists who are actually engaged in conducting a pharmacy at the time of their appointment are eligible to serve on the board.

This bill was pre-filed for introduction in the 1994 session pending technical review. As reported, the bill includes the changes required by technical review which has been performed.

SENATE COMMERCE COMMITTEE

STATEMENT TO

[FIRST REPRINT]

ASSEMBLY, No. 368

STATE OF NEW JERSEY

DATED: JUNE 2, 1994

The Senate Commerce Committee reports favorably Assembly Bill No. 368 [1R].

This bill requires that the Board of Pharmacy include a pharmacist who represents a chain drug retailer, a pharmacist who works in a hospital, and a pharmacist who owns a pharmacy. As defined in the bill, "chain drug retailer" means a corporation which operates seven or more retail pharmacies, drug stores or pharmacy departments under a common trade name. The bill provides that, in addition to the New Jersey Pharmaceutical Association already authorized under current law, the New Jersey Council of Chain Drug Stores, the Garden State Pharmacy Owners Association and the New Jersey Society of Hospital Pharmacists may each annually send to the Governor the names of four qualified registered pharmacists, one of whom the Governor may appoint to fill any vacancy occurring on the board.

Currently, the board reports annually to the Governor and the New Jersey Pharmaceutical Association. The bill provides that the board also report annually to the New Jersey Council of Chain Drug Stores, the Garden State Pharmacy Owners Association, and the New Jersey Society of Hospital Pharmacists. Furthermore, this bill stipulates that those members of the board who are registered pharmacists must be actually engaged either in conducting or directly supervising a pharmacy at the time of their appointment. Under existing law, only those registered pharmacists who are actually engaged in conducting a pharmacy at the time of their appointment are eligible to serve on the board.