

02-140
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**STATE OF WISCONSIN
PHARMACY EXAMINING BOARD**

**IN THE MATTER OF RULE-MAKING : PROPOSED ORDER OF THE
PROCEEDINGS BEFORE THE : PHARMACY EXAMINING BOARD
PHARMACY EXAMINING BOARD : ADOPTING RULES
: (CLEARINGHOUSE RULE 02-140**

TO: Alan J. Lasee
President of the Senate
Room 219 South, State Capitol
Madison, Wisconsin 53702

PLEASE TAKE NOTICE that the PHARMACY EXAMINING BOARD is submitting in final draft form rules relating to filing completed applications for examinations.

If you have any questions concerning the final draft form or desire additional information, please contact Pamela Haack at 266-0495.

**STATE OF WISCONSIN
PHARMACY EXAMINING BOARD**

IN THE MATTER OF RULE-MAKING	:	REPORT TO THE LEGISLATURE
PROCEEDINGS BEFORE THE	:	ON CLEARINGHOUSE RULE 02-140
PHARMACY EXAMINING BOARD	:	(s. 227.19 (3), Stats.)

I. THE PROPOSED RULE:

The proposed rule, including the analysis and text, is attached.

II. REFERENCE TO APPLICABLE FORMS:

No new or revised forms are required by these rules.

III. FISCAL ESTIMATES:

These rules will have no significant impact upon state or local units of government.

IV. STATEMENT EXPLAINING NEED:

Current s. Phar 2.02 (1) (intro.) requires that a completed application be on file at least 45 days prior to taking any required examinations for licensure. It has come to the board's attention that students graduating from pharmacy schools in the spring semester have difficulty assembling or having submitted required proofs in a timely manner from their respective schools. Such delays may result in a student not being able to take the first available examination following graduation. To remedy this problem, the board will amend s. Phar 2.02 (1) (intro.) to change the application cut-off to 30 days. Such a change will not materially affect the board's or the department's ability to process applications but will increase the ability for newly graduated students to file completed applications in a timely manner.

V. NOTICE OF PUBLIC HEARING:

A public hearing was held on January 14, 2003. There were no appearances at the public hearing nor were any written comments received.

VI. RESPONSE TO LEGISLATIVE COUNCIL STAFF RECOMMENDATIONS:

There were no recommendations suggested in the Clearinghouse Report.

VII. FINAL REGULATORY FLEXIBILITY ANALYSIS:

These rules will have no significant economic impact on small businesses, as defined in s. 227.114 (1) (a), Stats.

STATE OF WISCONSIN
PHARMACY EXAMINING BOARD

IN THE MATTER OF RULE-MAKING : PROPOSED ORDER OF THE
PROCEEDINGS BEFORE THE : PHARMACY EXAMINING BOARD
PHARMACY EXAMINING BOARD : ADOPTING RULES
: (CLEARINGHOUSE RULE 02-140)

PROPOSED ORDER

An order of the Pharmacy Examining Board to amend Phar 2.02 (1) (intro.), relating to filing completed applications for examinations.

Analysis prepared by the Department of Regulation and Licensing.

ANALYSIS

Statutes authorizing promulgation: ss. 15.08 (5) (b), 227.11 and 450.02 (3), Stats.

Statutes interpreted: ss. 450.03 (2) and 450.04 (3), Stats.

Current s. Phar 2.02 (1) (intro.) requires that a completed application be on file at least 45 days prior to taking any required examinations for licensure. It has come to the board's attention that students graduating from pharmacy schools in the spring semester have difficulty assembling or having submitted required proofs in a timely manner from their respective schools. Such delays may result in a student not being able to take the first available examination following graduation. To remedy this problem, the board will amend s. Phar 2.02 (1) (intro.) to change the application cut-off to 30 days. Such a change will not materially affect the board's or the department's ability to process applications but will increase the ability for newly graduated students to file completed applications in a timely manner.

TEXT OF RULE

SECTION 1. Phar 2.02 (1) (intro.) is amended to read:

Phar 2.02 (1) (intro.) Each applicant for original licensure as a pharmacist shall submit a completed notarized application no later than ~~45~~ 30 days prior to the examination date on forms provided by the board. The application shall include all of the following:

The rules adopted in this order shall take effect on the first day of the month following publication in the Wisconsin administrative register, pursuant to s. 227.22 (2) (intro.), Wis. Stats.

Dated _____ Agency _____
Chairperson
Pharmacy Examining Board

FISCAL ESTIMATE

1. The anticipated fiscal effect on the fiscal liability and revenues of any local unit of government of the proposed rule is: \$0.00.
2. The projected anticipated state fiscal effect during the current biennium of the proposed rule is: \$0.00.
3. The projected net annualized fiscal impact on state funds of the proposed rule is: \$0.00.

FNIAL REGULATORY FLEXIBILITY ANALYSIS

These rules will have no significant economic impact on a substantial number of small businesses, as defined in s. 227.114 (1) (a), Wis. Stat.

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WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

Ronald Sklansky
Clearinghouse Director

Terry C. Anderson
Legislative Council Director

Richard Sweet
Clearinghouse Assistant Director

Laura D. Rose
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CLEARINGHOUSE REPORT TO AGENCY

[THIS REPORT HAS BEEN PREPARED PURSUANT TO S. 227.15, STATS. THIS IS A REPORT ON A RULE AS ORIGINALLY PROPOSED BY THE AGENCY; THE REPORT MAY NOT REFLECT THE FINAL CONTENT OF THE RULE IN FINAL DRAFT FORM AS IT WILL BE SUBMITTED TO THE LEGISLATURE. THIS REPORT CONSTITUTES A REVIEW OF, BUT NOT APPROVAL OR DISAPPROVAL OF, THE SUBSTANTIVE CONTENT AND TECHNICAL ACCURACY OF THE RULE.]

CLEARINGHOUSE RULE 02-140

AN ORDER to amend Phar 2.02 (1) (intro.), relating to filing completed applications for examinations.

Submitted by **DEPARTMENT OF REGULATION AND LICENSING**

12-02-2002 RECEIVED BY LEGISLATIVE COUNCIL.

12-19-2002 REPORT SENT TO AGENCY.

RNS:PGC

LEGISLATIVE COUNCIL RULES CLEARINGHOUSE REPORT

This rule has been reviewed by the Rules Clearinghouse. Based on that review, comments are reported as noted below:

1. STATUTORY AUTHORITY [s. 227.15 (2) (a)]

Comment Attached YES NO

2. FORM, STYLE AND PLACEMENT IN ADMINISTRATIVE CODE [s. 227.15 (2) (c)]

Comment Attached YES NO

3. CONFLICT WITH OR DUPLICATION OF EXISTING RULES [s. 227.15 (2) (d)]

Comment Attached YES NO

4. ADEQUACY OF REFERENCES TO RELATED STATUTES, RULES AND FORMS
[s. 227.15 (2) (e)]

Comment Attached YES NO

5. CLARITY, GRAMMAR, PUNCTUATION AND USE OF PLAIN LANGUAGE [s. 227.15 (2) (f)]

Comment Attached YES NO

6. POTENTIAL CONFLICTS WITH, AND COMPARABILITY TO, RELATED FEDERAL
REGULATIONS [s. 227.15 (2) (g)]

Comment Attached YES NO

7. COMPLIANCE WITH PERMIT ACTION DEADLINE REQUIREMENTS [s. 227.15 (2) (h)]

Comment Attached YES NO