



AN ACT ADDING AN ADDITIONAL PHARMACIST TO THE BOARD OF PHARMACY; AND AMENDING SECTION 2-15-1733, MCA.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**Section 1.** Section 2-15-1733, MCA, is amended to read:

**"2-15-1733. Board of pharmacy.** (1) There is a board of pharmacy.

(2) The board consists of ~~six~~ seven members appointed by the governor with the consent of the senate. ~~Three~~ Four members must be licensed pharmacists, one member must be a registered pharmacy technician, and two members must be from the general public.

(a) Each licensed pharmacist member must have graduated and received the first professional undergraduate degree from the school of pharmacy of the university of Montana-Missoula or from an accredited pharmacy degree program that has been approved by the board. Each licensed pharmacist member must have at least 5 consecutive years of practical experience as a pharmacist immediately before appointment to the board. A licensed pharmacist member who, during the member's term of office, ceases to be actively engaged in the practice of pharmacy in this state must be automatically disqualified from membership on the board.

(b) A registered pharmacy technician member must have at least 5 consecutive years of practical experience as a pharmacy technician immediately before appointment to the board. A registered pharmacy technician member who, during the member's term of office, ceases to be actively engaged as a pharmacy technician in this state must be automatically disqualified from membership on the board.

(c) Each public member of the board must be a resident of the state and may not be or ever have been:

- (i) a member of the profession of pharmacy or the spouse of a member of the profession of pharmacy;
- (ii) a person having any material financial interest in the providing of pharmacy services; or
- (iii) a person who has engaged in any activity directly related to the practice of pharmacy.

(3) Members shall serve staggered 5-year terms. A member may not serve more than two consecutive full terms. For the purposes of this section, an appointment to fill an unexpired term does not constitute a full term.

(4) A member must be removed from office by the governor:

(a) upon proof of malfeasance or misfeasance in office, after reasonable notice of charges against the member and after a hearing; or

(b) upon refusal or inability to perform the duties of a board member in an efficient, responsible, and professional manner.

(5) The board is allocated to the department for administrative purposes only as prescribed in 2-15-121."

- END -

I hereby certify that the within bill,  
SB 0275, originated in the Senate.

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Secretary of the Senate

\_\_\_\_\_  
President of the Senate

Signed this \_\_\_\_\_ day  
of \_\_\_\_\_, 2009.

\_\_\_\_\_  
Speaker of the House

Signed this \_\_\_\_\_ day  
of \_\_\_\_\_, 2009.

SENATE BILL NO. 275  
INTRODUCED BY C. SQUIRES

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