

1 AN ACT concerning professional regulation.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Pharmacy Practice Act of 1987 is amended
5 by changing Section 10 as follows:

6 (225 ILCS 85/10) (from Ch. 111, par. 4130)

7 (Section scheduled to be repealed on January 1, 2008)

8 Sec. 10. State Board of Pharmacy. There is created in the
9 Department of Professional Regulation the State Board of
10 Pharmacy. It shall consist of 9 members, 7 of whom shall be
11 licensed pharmacists. Each of those 7 members must be a
12 licensed pharmacist in good standing in this State, a
13 graduate of an accredited college of pharmacy or hold a
14 Bachelor of Science degree in Pharmacy and have at least 5
15 years' practical experience in the practice of pharmacy
16 subsequent to the date of his licensure as a licensed
17 pharmacist in the State of Illinois. There shall be 2 public
18 members, who shall be voting members, who shall not be
19 licensed pharmacists in this State or any other state.

20 Each member shall be appointed by the Governor.

21 The terms of all members serving as of March 31, 1999
22 shall expire on that date. The Governor shall appoint 3
23 persons to serve one-year terms, 3 persons to serve 3-year
24 terms, and 3 persons to serve 5-year terms to begin April 1,
25 1999. Otherwise, members shall be appointed to 5 year terms.
26 No member shall be eligible to serve more than 12 consecutive
27 years.

28 In making the appointment of members on the Board, the
29 Governor shall give due consideration to recommendations by
30 the members of the profession of pharmacy and by
31 pharmaceutical organizations therein. The Governor shall

1 notify the pharmaceutical organizations promptly of any
2 vacancy of members on the Board and in appointing members
3 shall give consideration to individuals engaged in all types
4 and settings of pharmacy practice.

5 The Governor may remove any member of the Board for
6 misconduct, incapacity or neglect of duty and he shall be the
7 sole judge of the sufficiency of the cause for removal.

8 Every person appointed a member of the Board shall take
9 and subscribe the constitutional oath of office and file it
10 with the Secretary of State. Each member of the Board shall
11 be reimbursed for such actual and legitimate expenses as he
12 may incur in going to and from the place of meeting and
13 remaining thereat during sessions of the Board. In addition,
14 each member of the Board shall receive a per diem payment in
15 an amount determined from time to time by the Director for
16 attendance at meetings of the Board and conducting other
17 official business of the Board.

18 The Board shall hold quarterly meetings and an annual
19 meeting in January of each year and such other meetings at
20 such times and places and upon such notice as the Board may
21 determine and as its business may require. Five members of
22 the Board shall constitute a quorum for the transaction of
23 business. The Director shall appoint a pharmacy coordinator,
24 who shall be someone other than a member of the Board. The
25 pharmacy coordinator shall be a registered pharmacist in good
26 standing in this State, shall be a graduate of an accredited
27 college of pharmacy, or hold at a minimum a Bachelor of
28 Science degree in Pharmacy and shall have at least 5 years'
29 experience in the practice of pharmacy immediately prior to
30 his appointment. The pharmacy coordinator shall be the
31 executive administrator and the chief enforcement officer of
32 the Pharmacy Practice Act of 1987.

33 The Board shall exercise the rights, powers and duties
34 which have been vested in the Board under this Act, and any

1 other duties conferred upon the Board by law.

2 The Director shall, in conformity with the Personnel
3 Code, employ not less than 7 pharmacy investigators and 2
4 pharmacy supervisors. Each pharmacy investigator and each
5 supervisor shall be a registered pharmacist in good standing
6 in this State, and shall be a graduate of an accredited
7 college of pharmacy and have at least 5 years of experience
8 in the practice of pharmacy. The Department shall also
9 employ at least one attorney who is a pharmacist to prosecute
10 violations of this Act and its rules. The Department may, in
11 conformity with the Personnel Code, employ such clerical and
12 other employees as are necessary to carry out the duties of
13 the Board.

14 The duly authorized pharmacy investigators of the
15 Department shall have the right to enter and inspect during
16 business hours any pharmacy or any other place in the State
17 of Illinois holding itself out to be a pharmacy where
18 medicines or drugs or drug products or proprietary medicines
19 are sold, offered for sale, exposed for sale, or kept for
20 sale. The pharmacy investigators shall be the only
21 Department investigators authorized to inspect, investigate,
22 and monitor probation compliance of pharmacists and
23 pharmacies.

24 (Source: P.A. 91-827, eff. 6-13-00; 92-651, eff. 7-11-02.)