

Secretary of State
NOTICE OF PROPOSED RULEMAKING HEARING*
A Statement of Need and Fiscal Impact accompanies this form

Board of Pharmacy 855
Agency and Division Administrative Rules Chapter Number
Karen MacLean (971) 673-0001
Rules Coordinator Telephone
Board of Pharmacy, 800 NE Oregon St., # 150, Portland, OR 97232
Address

RULE CAPTION

Amends rules in Division 019 and 080 relating to FPGEC and Schedule I Controlled Substances

Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

Hearing Date	Time	Location	Hearings Officer
5-22-14	9:30 a.m.	800 NE Oregon St Conference Room 1A Portland, OR 97232	Courtney Wilson

RULEMAKING ACTION

Secure approval of rule numbers with the Administrative Rules Unit prior to filing.

ADOPT:

AMEND:

855-019-0150, 855-080-0021

REPEAL:

RENUMBER: Secure approval of new rule numbers with the Administrative Rules Unit prior to filing.

AMEND AND RENUMBER: Secure approval of new rule numbers with the Administrative Rules Unit prior to filing.

Statutory Authority:

689.205

Other Authority:

Statutes Implemented:

475.035, 475.059, 475.065, 689.151, 689.255

RULE SUMMARY

Foreign Pharmacy Graduate rules are amended to remove the minimum score requirements for the Test of English as a Foreign Language (TOEFL) and Internet Based Test (iBT). These amendments require Foreign Pharmacy Graduates applying for licensure in Oregon to provide the original Foreign Pharmacy Graduate Equivalency Committee (FPGEC) Certificate issued by the National Association of Boards of Pharmacy, Foreign Pharmacy Examination Committee. Note: TOEFL and iBT are required for FPGEC Certification.

This filing reestablishes as Schedule I items, gamma-butyrolactone and other cannabinoid receptor agonists that are not listed in OARs 855-080-0022 through 0026 (Schedule II through V) or that are not an FDA approved drug. In addition certain exceptions are reestablished as well as Schedule I compounds in structural classes 2a-2k.

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.

05-22-2014 4:30 p.m. Karen MacLean Karen.S.MacLean@state.or.us
Last Day (m/d/yyyy) and Time Rules Coordinator Name Email Address

FILED
4-15-14 12:26 PM
ARCHIVES DIVISION

for public comment

SECRETARY OF STATE

*The Oregon Bulletin is published on the 1st of each month and updates the rule text found in the Oregon Administrative Rules Compilation.

Secretary of State
STATEMENT OF NEED AND FISCAL IMPACT
A Notice of Proposed Rulemaking Hearing accompanies this form.

Board of Pharmacy
Agency and Division

855
Administrative Rules Chapter Number

Amends rules in Division 019 and 080 relating to FPGECC and Schedule I Controlled Substances

Rule Caption (Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.)

In the Matter of:

Amends rules in Division 019 and 080 relating to FPGECC and Schedule I Controlled Substances.

Statutory Authority:

689.205

Other Authority:

Statutes Implemented:

475.035, 475.059, 475.065, 689.151, 689.255

Need for the Rule(s):

Division 019 FPGECC rule amendments are needed to eliminate outdated TOEFL iBT Passing Standards for FPGECC Certification. Division 080 rule amendments schedule gamma butyrolactone, other cannabinoid receptor agonists, and adds an exception clause to the Schedule I rules to allow the Oregon State Forensic Laboratory to reestablish a basis for convictions that are related to applicable Schedule I Controlled Substances.

Documents Relied Upon, and where they are available:

-TOEFL iBT Test of English as a Foreign Language
National Association of Boards of Pharmacy Website:

<http://www.nabp.net/programs/examinations/fpgecc/toefl-ibt>

-Department of State Police Forensic Services Division letter location at:

Oregon Board of Pharmacy
800 NE Oregon St Ste 150
Portland, OR 97232

Fiscal and Economic Impact:

None.

Statement of Cost of Compliance:

1. Impact on state agencies, units of local government and the public (ORS 183.335(2)(b)(E)):

By scheduling other cannabinoid receptor agonists and adding an exception clause to the Schedule I rules the Oregon State Forensic Laboratory can reestablish a basis for convictions that are related to applicable Schedule I Controlled Substances.

2. Cost of compliance effect on small business (ORS 183.336):

a. Estimate the number of small business and types of businesses and industries with small businesses subject to the rule:

None.

b. Projected reporting, recordkeeping and other administrative activities required for compliance, including costs of professional services:

None.

c. Equipment, supplies, labor and increased administration required for compliance:

None.

How were small businesses involved in the development of this rule?

No.

Administrative Rule Advisory Committee consulted?: No

If not, why?:

The Schedule I rules were rules needed to be reestablished as a result of administrative errors.

The FPGEC rule was needed to update standards for new FPGEC Candidates that went into effect on March 1, 2014 by the National Association of Boards of Pharmacy.

<u>05-22-2014 4:30 p.m.</u>	<u>Karen MacLean</u>	<u>Karen.S.MacLean@state.or.us</u>
Last Day (m/d/yyyy) and Time for public comment	Printed Name	Email Address

FILED 4-15-14 12:26 PM ARCHIVES DIVISION SECRETARY OF STATE

Administrative Rules Unit, Archives Division, Secretary of State, 800 Summer Street NE, Salem, Oregon 97310.

ARC 925-2007