

TITLE 30: PROFESSIONS AND OCCUPATIONS PART 3001: MISSISSIPPI PHARMACY
PRACTICE REGULATIONS

ARTICLE IV LICENSE RENEWAL AND CONTINUING EDUCATION

Each pharmacist shall renew his/her license annually.

1. To renew his/her license, a pharmacist shall:
 - A. Submit an application for renewal on the form prescribed by the Board or through the online process found at the Mississippi Board of Pharmacy webpage;
 - B. On the application, indicate and certify the number of continuing education hours earned for Licensure:
 - i. One (1) continuing education units (10 hours) is required for each licensure period.
 - ii. Each newly licensed pharmacist, effective May 1, 2013, in the State of Mississippi be required to attend a Mississippi Association of Recovering Pharmacists(MARP) sponsored seminar consisting of a minimum of six (6) continuing education contact hours once during his/her first five (5) years of licensure. This requirement will only apply to Mississippi licensed Pharmacists who actively engage in the practice of pharmacy in the State of Mississippi.
 - iii. A pharmacist licensed by the Mississippi Board of Pharmacy must be a registered user of the Prescription Monitoring Program.
 - C. Pay renewal fees as follows:
One-hundred dollars (\$100.00) for the annual licensure period January 1, 2011 through December 31, 2011, and each annual licensure period thereafter, plus a surcharge of five dollars (\$5.00) to fund a program to aid impaired pharmacists and pharmacy students for a total fee of one-hundred and five dollars (\$105.00) .
 - D. Any pharmacist license renewal application postmarked after December 31 of the renewal period or submitted online after 11:59 P.M. CST shall be returned or rejected and a fifty dollar (\$50.00) late renewal fee shall be assessed prior to renewal.
 - E. Any license not renewed by January 15th may be considered invalid and may be subject to disciplinary action by the Board.

2. Any person who has not renewed or possessed a valid license to practice pharmacy in Mississippi for a current period of time exceeding two years must:
 - A. Petition the Board for license reinstatement;
 - B. Appear before the Board in support of said petition;
 - C. Work as an intern for a Board approved pharmacist and site for twenty (20) clock hours for each year that the person was without a valid license;
 - D. Provide a record from the supervising pharmacist showing the satisfactory completion of the intern hours;
 - E. Provide proof of ten (10) hours of continuing education for the current licensing period;
 - F. Pay all license renewal fees in arrears; and
 - G. Satisfactorily pass an examination on Pharmacy Law and Board regulations approved

by the board.

3. Those persons who have been actively engaged in the practice of pharmacy pursuant to a license issued by another state, but who have not renewed the Mississippi Pharmacist License for a period of time exceeding two years must:
 - A. Petition the Board for reinstatement;
 - B. May appear before the Board in support of said petition, or furnish proof of a continuing valid pharmacy license in another state during the period of license lapse in Mississippi;
 - C. Provide proof of ten (10) hours of continuing education for the current licensing period; and
 - D. Pay all license renewal fees in arrears; and
 - E. Satisfactorily pass an examination on Pharmacy Law and Board regulations approved by the Board.
4. For purposes of these regulations, one (1) continuing education unit shall consist of ten (10) clock hours of study or other activity and shall include either of the following:
 - A. Programs, which have been approved by the American Council on Pharmaceutical Education (A.C.P.E.);
 - B. Programs, which have been approved by the Mississippi Board of Pharmacy prior to presentation.
5. The continuing education required for license renewal shall be obtained in the licensure period preceding the renewal date. Evidence of continuing education shall be submitted to the Board of Pharmacy on request by audit or at any time on request by any agent of the Board of Pharmacy. Documentation of evidence of continuing education should indicate the name and address of the participant, date of the continuing education, the program title, the amount of continuing education credit received and the signature of the person authorized to issue certification of continuing education credit. Documentation of continuing education credit must be received within five (5) working days of a request. Failure to submit evidence of continuing education credit will result in disciplinary action by the Board.
6. Continuing education obtained in another state may be accepted by the Mississippi Board of Pharmacy provided that it is acceptable to the Board of Pharmacy in the state where it was obtained.
7. A request for Pharmacy Board approval of a program as continuing education shall be made on a form prescribed by the Board.
8. The subject matter of the program, the objectives of the program and the qualifying credentials of the person or persons presenting the program must be sufficiently detailed in the request for Board approval so as to give the Board a sound basis for evaluating the merits of the program.

9. In approving programs for continuing education the policy of the Board shall be that no program will be approved:
 - A. After the program has been presented;
 - B. If program attendance is expected or required as part of a person's employment (an example would be an inservice or training seminar);
 - C. That is not made available to all pharmacists who wish to attend (an exception may be a program that is specifically directed to a particular group such as hospital pharmacists, retail pharmacists or consultant pharmacists).
10. Continuing education obtained by a pharmacist who is also licensed by another approved health care regulatory agency shall be acceptable to the Board provided the continuing education is approved by that respective regulatory agency. A pharmacist enrolled full time in any recognized school of the healing arts may receive credit for the continuing education requirements of this ARTICLE upon submitting proof of full time enrollment.
11. The Board, at its discretion, may grant extension periods and waivers for the completion of license renewal and continuing education requirements for ACTIVE Military Service members.

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ARTICLE V ACTION AGAINST PHARMACIST LICENSE

1. The Board of Pharmacy may refuse to issue or renew, or may suspend, summarily suspend, place on probation, revoke, reprimand or restrict the license of any pharmacist and/or impose a monetary penalty upon one or more of the following grounds:
 - A. Violation of the rules and regulations of the Board of Pharmacy;
 - B. Violation of any of the provisions of the Mississippi Pharmacy Practice Act or the Mississippi Uniform Controlled Substances Law;
 - C. Violation of pharmacy or drug laws of any other state or the federal government or rules or regulations pertaining thereto;
 - D. Fraud or intentional misrepresentation by a licensee in securing the issuance or renewal of a license or failing to report to the Board any adverse action taken by another licensing jurisdiction, government agency, law enforcement agency, or court that would constitute grounds for action;
 - E. Aiding and abetting an individual to engage in the practice of pharmacy without a license;
 - F. Addiction to or dependence on alcohol, controlled substances or other habit forming legend drugs or the unauthorized use, possession, or theft of controlled substances or other habit forming legend drugs;
 - G. Unprofessional conduct. Unprofessional conduct shall include, but is not limited to:
 - (1) Condoning or assisting in the dispensing, promotion or distribution of drugs:
 - (a) Which do not meet the standards required by law;
 - (b) Which the pharmacist knows, or should know, are not obtained for a legitimate medical need.
 - (2) Committing any fraudulent act including, but not limited to:
 - (a) Destruction or alteration of any records such as prescriptions, profiles, purchase invoices, third-party vouchers and receipts required to be kept;
 - (b) The placement of any advertisement which is false or misleading;
 - (c) Filing a claim or assisting in the filing of a claim for reimbursement for drugs or professional services which were not provided or which were not authorized to be provided.
 - (3) Dispensing, selling, bartering, receiving, or maintaining drugs which the pharmacist knows, or should know, have been stolen or diverted from the purpose for which they were distributed by a legitimate source;
 - (4) Practicing in a location which is not properly permitted or registered by the Mississippi Board of Pharmacy;
 - (5) Selling or bartering a prescription drug sample;
 - (6) Receiving, dispensing, or maintaining a prescription drug sample unless the pharmacy is owned by a charitable organization and is not operated for profit and has prior approval in writing by the Board. Institutional pharmacies may receive, dispense and maintain prescription drug samples that are provided

by a practitioner and intended solely for administration to his/her patients confined to the institution provided no charge is made to the patient by the institution for the sample;

- (7) No pharmacist shall have possession of a prescription drug sample unless such sample is for treatment of a diagnosed personal medical condition;
 - (8) Denying a patient freedom of choice in selecting who will fill their prescription needs;
 - (9) Willfully and knowingly failing to maintain complete and accurate records of all prescription drugs received, disposed of or dispensed at a permitted facility.
 - (10) Failure to report fraudulent prescription activity to the appropriate authorities.
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- H. Physical or mental incapacity that prevents a pharmacist from practicing pharmacy with reasonable skill and safety to the public.
 - I. Failure to comply with any lawful order of the Board.
 - J. Being found guilty by the licensing agency in another state or violating the statutes, rules or regulations of that jurisdiction.
 - K. Divulging or revealing patient confidential or protected health information to any person other than as authorized by Board regulations.
 - L. Termination of employees suspected of theft of pharmaceuticals or merchandise without contacting the Board prior to termination.
 - M. Failure to report directly to the Board, losses or suspected losses of controlled substances or prescription drugs.
 - N. Theft from a permitted facility.
 - O. Theft or embezzlement of prescription drugs, controlled substances or medical devices from a permitted facility.
 - P. Jeopardizing, compromising, interfering or failing to cooperate with any lawful investigation conducted by the Board or any state or federal regulatory or law enforcement agency.
 - Q. Destruction, removal or tampering with any prescription drug, controlled substance, or medical device placed under seal, embargoed, or quarantined by the Board or any representative of the Board.
 - R. Knowing or suspecting that a Pharmacist or Pharmacy Intern is incapable of engaging in the Practice of Pharmacy or that a Pharmacy Technician is incapable of assisting in the Practice of Pharmacy, with safety to the public, is diverting or abusing controlled substances or prescription drugs and failing to report any relevant information to the Board of Pharmacy.
 - S. Failure to furnish to the Board, its investigators, or representatives any information legally requested by the Board.
 - T. Failing to pay costs assessed in a disciplinary hearing.
 - U. Failure of a pharmacist licensed by the Mississippi Board of Pharmacy to register as a user of the Prescription Monitoring Program.
 - V. Failing to submit prescription monitoring information to the Prescription Monitoring Program within the time interval prescribed.
 - W. The unlawful disclosure of information from the Prescription Monitoring Program or

- using information obtained from the Prescription Monitoring Program for unlawful or unethical purposes.
- X. Failure to produce continuing education credits within required time period set forth in these regulations.
 - Y. The Board may issue a cease and desist order to prevent a person from engaging in the practice of pharmacy which endangers the public.