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**MEMORANDUM**

**TO:** Mark Whitten, Executive Director  
Board of Pharmacy

**FROM:** Michele Bass, Paralegal Specialist 

**RE:** Notice of Proposed Rulemaking  
Rule 64B16-26.206

**DATE:** May 30, 2013

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The above-referenced Notice was submitted to the BAC on May 23, 2013, for publication in the F.A.R. on May 24, 2013. Enclosed is a copy for your records.

If you have any questions or concerns, please feel free to contact me at 414-3766.

Enclosure

cc: Jennifer Tschetter, Assistant General Counsel

RECEIVED  
MAY 31 2013  
Florida Board of Pharmacy

DEPARTMENT OF HEALTH  
Board of Pharmacy

RULE NO.:  
64B16-26.206

RULE TITLE:  
Application for Pharmacist Licensure by  
Endorsement (Foreign Pharmacy Graduates)

STATEMENT OF FACTS AND CIRCUMSTANCES JUSTIFYING RULE PROPOSAL:

The proposed rule promulgation is necessary to create a new rule for endorsement candidates that are foreign trained.

STATEMENT REGARDING FEDERAL STANDARDS: There is no ascertainable parallel federal rule or standard with which to make a comparison.

RECEIVED  
2019 MAY 23 PH 2:48  
DEPARTMENT OF HEALTH  
PROCEDURES COMMITTEE

NOTICE OF PROPOSED RULEMAKING

DEPARTMENT OF HEALTH  
BOARD OF PHARMACY  
RULE NO.  
64B16-26.206

RULE TITLE:  
Application for Pharmacist Licensure by  
Endorsement (Foreign Pharmacy Graduates)

PURPOSE AND EFFECT: The Board proposes the rule promulgation to create a new rule for endorsement candidates that are foreign trained.

SUMMARY: A new rule for endorsement candidates that are foreign trained will be created.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST AND LEGISLATIVE RATIFICATION: The agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency. The agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time. Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 465.005, 465.0075 FS.

LAW IMPLEMENTED: 456.013(1), 456.033, 465.007, 465.0075, 465.002 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mark Whitten, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin C04, Tallahassee, Florida 32399-3254.

THE TEXT OF THE PROPOSED RULE IS: 64B16-26.206 Application for Pharmacist Licensure by Endorsement (Foreign Pharmacy Graduates)

An applicant for licensure by endorsement for a foreign graduate must be at least 18 years of age and a recipient of a degree from a school or college of pharmacy located outside the United States and have met the requirements listed in Rule 64B16-26.2031(1)(b) and subsections (2) and (3), F.A.C.

(1) All applications for licensure by endorsement must be made on form DH-MQA 1196, (01/13), Pharmacist Licensure by Endorsement Application and Instructions (Foreign Pharmacy Graduates), which is incorporated herein by reference, and shall be accompanied with a non-refundable fee and initial licensure fee as set forth in Rules 64B16-26.1001 and 64B16.1002, F.A.C. The form is available at [www.doh.state.fl.us/mqa/pharmacy](http://www.doh.state.fl.us/mqa/pharmacy).

(2) The applicant must submit proof that one of the following requirements has been met:

(a) Two years of active practice, as defined in Section 465.0075(1)(c), F.S., within the immediately preceding five (5) years. To prove that the applicant has two years of active practice, the applicant must submit Form DH-MQA 1196, Item 4, Licensure Verification Form to the licensing authority of the state of licensure. It is the applicant's responsibility to ensure that the licensing authority completes the form and returns it to the Board. If the applicant meets the requirements of this paragraph, proof of completion of 30 hours of Florida Board of Pharmacy approved continuing education obtained in the two calendar years immediately preceding application, must also be submitted. Adequate proof consists of a letter from the provider or a certificate of completion, which contains the course title, course number and the number of hours completed.

(b) Passing of postgraduate training at a school or college of pharmacy accredited by an accrediting agency recognized and approved by the United States Office of Education. The applicant must provide the Board with a transcript directly from the school of instruction.

(c) Successful completion of an internship meeting the requirements of Rule 64B16-26.2033, F.A.C. within the immediately preceding two (2) years. To prove that the applicant has successfully completed the internship, the applicant must submit Form DH-MQA 1196, Item 3, Internship Work Experience Form (Form B). The applicant's supervising pharmacist must sign this form.

(3) The applicant must provide proof of completion of 500 hours of supervised work activity in the State of Florida as provided by Section 465.007(1)(b)2, F.S. The supervised work activity program experience shall be documented on form DH-MQA, 1153, "Foreign Pharmacy Graduate Registered Intern Work Activity Manual (01/10) , and incorporated herein by reference and available at [www. or www.doh.state.fl.us/mqa/pharmacy](http://www.doh.state.fl.us/mqa/pharmacy). Further, no supervised work activity program shall be approved for any applicant until said applicant has obtained the passing score of the Foreign Pharmacy Graduate Equivalency Exam as provided in Section 465.007, F.S.

(4) The applicant must submit proof of completion of a board-approved course not less than 2 hours on medication errors that covers the study of root-cause analysis, error reduction and prevention and patient safety. For applicants who apply within one year following the receipt of their pharmacy degree, completed academic course work on medication errors will be accepted by the board as an educational course under this subsection, provided such course work is no less than 2 contact hours and that it covers the study of root-cause analysis, error reduction and prevention and patient safety as evidenced by a letter attesting to subject matter from an official of the university.

(5) All requirements for licensure by endorsement must be met within one (1) year of the receipt of the application. Applicants failing to meet this requirement must reapply.

(6) Applicants applying under the provisions of Section 465.0075, F.S., must have obtained a passing score on the licensure examination as described in subsection 64B16-26.200(1), F.A.C.

(7) Applicants applying pursuant to the provisions of Section 465.0075, F.S., shall cause the National Association of Boards of Pharmacy, or other similar organization to issue a transfer of Pharmaceutical Licensure Certificate showing examination date, examination results, status of licensure, disciplinary actions and licensure status.

(8) Applicants deemed qualified for licensure by endorsement shall be required to complete the Multistate Pharmacy Jurisprudence Examination – Florida Version. Passing scores of this examination may be used upon reapplication only if the examination was completed within three (3) years of the reapplication.

Rulemaking Specific Authority 465.005, 465.0075, F.S. Law Implemented 456.013(1), 456.033, 465.007, 465.0075, 465.002, F.S. History –New\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Pharmacy.

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Pharmacy.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD:

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 1, 2012