
By: Senator Blount

Introduced and read first time: January 30, 1996

Assigned to: Economic and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Pharmacists - Licensure - Oral Competency Exams**

3 FOR the purpose of authorizing the State Board of Pharmacy to waive certain
4 qualifications for a license to practice pharmacy under certain circumstances;
5 requiring applicants for a license to practice pharmacy to demonstrate oral
6 competency in the English language; requiring the Board to adopt certain
7 regulations; requiring certain licensees to pass a certain test; making a certain
8 exception; defining a certain term; and generally relating to the requirement that
9 applicants for a license to practice pharmacy demonstrate oral competency in the
10 English language.

11 BY repealing and reenacting, with amendments,
12 Article - Health Occupations
13 Section 12-302
14 Annotated Code of Maryland
15 (1994 Replacement Volume and 1995 Supplement)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
17 MARYLAND, That the Laws of Maryland read as follows:

18 **Article - Health Occupations**

19 12-302.

20 (a) To qualify for a license, an applicant shall be an individual who meets the
21 requirements of this section.

22 (b) The applicant shall be of good moral character.

23 (c) The applicant shall be at least 18 years old.

24 (d) The applicant shall:

25 (1) Be a graduate of a school or college of pharmacy that is approved by the
26 Board or accredited by the American Council on Pharmaceutical Education; and

27 (2) Have completed the clinical pharmacy training that the Board requires.

28 (e) Except as otherwise provided in this title, the applicant shall pass an
29 examination given by the Board under this subtitle.

1 (F) (1) IN THIS SUBSECTION, "FOREIGN SCHOOL OR COLLEGE OF
2 PHARMACY" MEANS A SCHOOL OR COLLEGE OF PHARMACY THAT IS NOT LOCATED
3 IN ANY STATE IN THE UNITED STATES.

4 (2) THE BOARD MAY WAIVE THE REQUIREMENTS OF SUBSECTION (D)(1)
5 OF THIS SECTION FOR AN APPLICANT WHO IS A GRADUATE OF A FOREIGN SCHOOL
6 OR COLLEGE OF PHARMACY, PROVIDED THAT THE APPLICANT PASSES AN
7 EXAMINATION APPROVED BY THE BOARD IN ADDITION TO THE EXAMINATIONS
8 OTHERWISE GIVEN BY THE BOARD UNDER THIS SUBTITLE.

9 (G) (1) THE BOARD SHALL REQUIRE, AS PART OF ITS EXAMINATION OR
10 LICENSING PROCEDURES, AN APPLICANT FOR A LICENSE TO PRACTICE PHARMACY
11 TO DEMONSTRATE AN ORAL COMPETENCY IN THE ENGLISH LANGUAGE BY PASSING
12 A BOARD APPROVED STANDARDIZED TEST OF ORAL COMPETENCY.

13 (2) THE BOARD SHALL ADOPT REGULATIONS THAT ESTABLISH A
14 PROCEDURE FOR TESTING AN INDIVIDUAL WHO BECAUSE OF THE INDIVIDUAL'S
15 SPEECH IMPAIRMENT IS UNABLE TO COMPLETE SATISFACTORILY A BOARD
16 APPROVED STANDARDIZED TEST OF ORAL COMPETENCY.

17 (3) IF ANY DISCIPLINARY CHARGE OR ACTION THAT RELATES TO A
18 PROBLEM WITH THE ORAL COMMUNICATION OF THE ENGLISH LANGUAGE IS
19 BROUGHT AGAINST A LICENSEE UNDER THIS TITLE, THE BOARD SHALL REQUIRE
20 THE LICENSEE TO PASS A BOARD APPROVED STANDARDIZED TEST OF ORAL
21 COMPETENCY.

22 (4) THE BOARD MAY NOT REQUIRE AN APPLICANT FOR A LICENSE TO
23 PRACTICE PHARMACY, WHO WAS PREVIOUSLY LICENSED IN ANOTHER STATE TO
24 PRACTICE PHARMACY, TO DEMONSTRATE AN ORAL COMPETENCY IN THE ENGLISH
25 LANGUAGE, IF THE OTHER STATE'S EXAMINATION AND LICENSING PROCEDURES AT
26 THE TIME THE APPLICANT WAS LICENSED IN THE OTHER STATE INCLUDED AN ORAL
27 COMPETENCY COMPONENT SIMILAR TO THE ORAL COMPETENCY COMPONENT IN
28 THIS STATE'S EXAMINATION AND LICENSING PROCEDURES.

29 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
30 October 1, 1996.