

247 CMR 3.00: PHARMACIST LICENSURE REQUIREMENTS

Section

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3.01: Examination for Licensure as a Pharmacist

In order to be licensed as a pharmacist by examination by the Board, an applicant must meet the requirements set forth in 247 CMR 3.01.

- (1) A graduate of an ACPE-accredited and Board-approved college/school of pharmacy shall be eligible for examination for licensure as a pharmacist provided the applicant:
 - (a) is 18 years of age or older by the scheduled date of the examination applied for;
 - (b) has earned a doctor of pharmacy degree from a college/school of pharmacy accredited by the ACPE or approved by the Board;
 - (c) has completed a pharmacy internship in accordance with 247 CMR 8.01(1); and
 - (d) is of good moral character.
- (2) A graduate of a non-approved college/school of pharmacy shall be eligible for examination for licensure as a pharmacist provided the applicant:
 - (a) is 18 years of age or older by the scheduled date of the examination applied for;
 - (b) has received official Foreign Pharmacy Graduate Examination Committee (FPGEC) Certification from NABP;
 - (c) has submitted an official copy of the applicant's FPGEC Certificate to the Board and the Board has received official notification from the NABP of the applicant's FPGEC Certification;
 - (d) has completed a pharmacy internship in accordance with 247 CMR 8.01(1); and
 - (e) is of good moral character.
- (3) An applicant shall properly apply to take NAPLEX and MPJE, A completed application for examination shall:
 - (a) be fully and correctly completed by the applicant;
 - (b) include a recent passport-size photograph of the applicant showing the applicant's likeness;
 - (c) include a certified birth certificate or other sufficient proof of place and date of birth;
 - (d) in the case of a name change, include a written notification to the Board or the Board's designee of such name change; and
 - (e) include payment of all required fees, unless waived in accordance with M.G.L. c. 112, § 1B;
- (4) An applicant for licensure as a pharmacist must pass both NAPLEX and MPJE.
- (5) To qualify for licensure, the applicant must achieve a NAPLEX score of not less than 75% and an MPJE score of not less than 75%.
- (6) An applicant who fails to achieve a passing score on either or both NAPLEX or MPJE may be re-examined on either or both examinations provided that the applicant submits a new application for examination to the Board or Board-approved testing service accompanied by payment of all required fees, unless waived in accordance with M.G.L. c. 112, § 1B.
- (7) An applicant who fails either NAPLEX or MPJE must reapply to sit for the examination which the applicant failed within one year of the administration date of the original examination in order for both examination scores to be considered together. If the applicant does not pass both NAPLEX and MPJE within this one year period, the applicant must apply to retake both NAPLEX and MPJE.

3.01: continued

- (8) The Board may refuse to consider any application that has not been properly completed.
- (9) All fees submitted to the Board in connection with an application for licensure as a pharmacist, reviewed and acted upon by the Board, are nonrefundable.

3.02: Licensure by Reciprocity

The Board may grant licensure as a pharmacist to an applicant who furnishes proof satisfactory to the Board that the applicant has been licensed by examination in another state or jurisdiction and that the applicant is in good standing in all states where the applicant holds a license, provided that such other state or jurisdiction requires a degree of competency equal to that required of applicants in Massachusetts, and provided further that the Board recognizes the other state or jurisdiction for purposes of licensure by reciprocity.

An applicant who seeks licensure by reciprocity from the Board shall submit a preliminary application to NABP for license transfer, NABP, as agent of the Board, will conduct the preliminary evaluation of an applicant's qualifications for licensure by reciprocity.

(1) General Requirements.

- (a) Whenever an applicant has been notified by NABP that the applicant does not meet the requirements for licensure by reciprocity, the applicant may in writing request the Board to review the basis of NABP's decision.
- (b) The Board shall make the final determination of any applicant's eligibility to be registered as a pharmacist by reciprocity.
- (c) A reciprocity application shall be valid for one year after the date of approval by NABP.
- (d) All fees submitted to the Board in connection with an application for licensure by reciprocity, reviewed and acted upon by the Board, are nonrefundable.

(2) Specific Requirements for Graduates of ACPE-accredited or Board-approved Colleges/Schools of Pharmacy.

- (a) The requirements for the issuance by the Board of a license by reciprocity to an applicant who has graduated from an ACPE-accredited or Board-approved college/school of pharmacy shall include the following:
 - 1. NABP approval;
 - 2. documentation of internship experience in accordance with 247 CMR 8.01: *Pharmacy Interns*;
 - 3. passing score (at least 75%) on MPJE; and
 - 4. if requested, the applicant shall personally appear before the Board to discuss any matter related to the application.
- (b) Upon receipt by the Board of evidence of an applicant's NABP approval and payment of all required fee(s), unless waived in accordance with M.G.L. c. 112, § 1B, the applicant may register with NABP to take MPJE.

(3) Specific Requirements for Graduates of Non-approved Colleges/Schools of Pharmacy.

- (a) The requirements for the issuance of a licensure by reciprocity to an applicant who has graduated from a non-approved college/school of pharmacy shall include:
 - 1. Receipt by the Board of an official copy of the applicant's FPGEC Certificate from NABP;
 - 2. documentation of internship experience in accordance with 247 CMR 8.01: *Pharmacy Interns*;
 - 3. passing score (at least 75%) on MPJE; and
 - 4. if requested, the applicant shall personally appear before the Board to discuss any matter related to the application.
- (b) Upon receipt by the Board of evidence of an applicant's NABP approval and payment of all required fee(s), unless waived in accordance with M.G.L. c. 112, § 1B, the applicant must register with NABP to take MPJE.

3.03: Duplicate Certificate of Licensure

To request a duplicate certificate of licensure (wallet card), a registrant shall submit a Board-approved form and required documentation. In the event that an original certificate of licensure is recovered after a duplicate certificate has been issued, the duplicate shall be promptly returned to the Board.

3.04: Licensure Retirement

(1) A licensee who meets the eligibility requirements in 247 CMR 3.04(2) may submit a petition to the Board to request that his or her license be placed on retired status. A retired status is a nondisciplinary status. The Board may decline to review any petition for reinstatement or return to current status from any licensee whose status has been changed to retired status.

(2) A licensee will be eligible to submit a petition for retired status, if he or she:

- (a) has a license that is not surrendered, suspended or revoked at the time of the petition;
- (b) demonstrates, to the board's satisfaction, that he or she intends to permanently retire from active practice in the Commonwealth and in all other jurisdictions.

(3) A licensee with a retired status may not practice.

(4) Nothing in 247 CMR 3.04 shall prevent the Board from initiating, pursuing or taking a disciplinary action against a licensee whose license is in retired status, including an action that imposes discipline or changes the status from retired to revoked or suspended, if the Board determines that such action is in the best interests of public health, safety or welfare.

3.05: Legally Protected Health Care Activity

No person shall be denied initial licensure or denied renewal due to any complaint, criminal charge, conviction, judgment, discipline, or other sanction due to providing or assisting in providing, or dispensing medication for, reproductive health care services or gender-affirming health care services, as defined at M.G.L. c. 12, § 11F½, so long as the services provided would have been lawful in Massachusetts and are consistent with standards for good professional practice in Massachusetts.

REGULATORY AUTHORITY

247 CMR 3.00: M.G.L. c. 112, §§ 24 and 42A.