

House Engrossed

pharmacy board; renewals; ownership change

State of Arizona
House of Representatives
Fifty-seventh Legislature
Second Regular Session
2026

CHAPTER 203

HOUSE BILL 2733

AN ACT

AMENDING SECTIONS 32-1901.01 AND 32-1925, ARIZONA REVISED STATUTES;
AMENDING TITLE 32, CHAPTER 18, ARTICLE 2, ARIZONA REVISED STATUTES, BY
ADDING SECTION 32-1930.01; AMENDING SECTION 32-1965, ARIZONA REVISED
STATUTES; RELATING TO THE ARIZONA STATE BOARD OF PHARMACY.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 32-1901.01, Arizona Revised Statutes, is amended
3 to read:

4 32-1901.01. Definitions of unethical conduct and
5 unprofessional conduct; permittees; licensees

6 A. In this chapter, unless the context otherwise requires, for the
7 purposes of disciplining a permittee, "unethical conduct" means the
8 following, whether occurring in this state or elsewhere:

9 1. Committing a felony, whether or not involving moral turpitude,
10 or a misdemeanor involving moral turpitude or any drug-related offense.
11 In either case, conviction by a court of competent jurisdiction or a plea
12 of no contest is conclusive evidence of the commission.

13 2. Committing an act that is substantially related to the
14 qualifications, functions or duties of a permittee and that demonstrates
15 an actual or potential unfitness to hold a permit in light of the public's
16 safety.

17 3. Working under the influence of alcohol or other drugs.

18 4. Using alcohol or other drugs to such a degree as to render the
19 permittee unfit to perform the permittee's employment duties.

20 5. Violating a federal or state law or administrative rule relating
21 to the manufacture, sale or distribution of drugs, devices, poisons,
22 hazardous substances or precursor chemicals.

23 6. Violating a federal or state law or administrative rule relating
24 to marijuana, prescription-only drugs, narcotics, dangerous drugs,
25 controlled substances or precursor chemicals.

26 7. Violating state or federal reporting or recordkeeping
27 requirements on transactions relating to precursor chemicals.

28 8. Intending to sell, transfer or distribute, or to offer for sale,
29 transfer or distribution, or selling, transferring, distributing or
30 dispensing or offering for sale, transfer or distribution an imitation
31 controlled substance, imitation over-the-counter drug or imitation
32 prescription-only drug as defined in section 13-3451.

33 9. Having the permittee's permit to manufacture, sell, distribute
34 or dispense drugs, devices, poisons, hazardous substances or precursor
35 chemicals denied or disciplined in another jurisdiction.

36 10. Committing an offense in another jurisdiction that if committed
37 in this state would be grounds for discipline.

38 11. Obtaining or attempting to obtain a permit or a permit renewal
39 by fraud, by misrepresentation or by knowingly taking advantage of the
40 mistake of another person or an agency.

41 12. Wilfully making a false report or record that is required by
42 this chapter, that is required by federal or state laws pertaining to
43 drugs, devices, poisons, hazardous substances or precursor chemicals or
44 that is required to pay for drugs, devices, poisons or hazardous

1 substances or precursor chemicals or for services pertaining to such drugs
2 or substances.

3 13. Knowingly filing with the board any application, renewal or
4 other document that contains false or misleading information.

5 14. Providing false or misleading information or omitting material
6 information in any communication to the board or the board's employees or
7 agents.

8 15. Violating or attempting to violate, directly or indirectly, or
9 assisting in or abetting the violation of, or conspiring to violate this
10 chapter.

11 16. Violating a formal order, terms of probation, a consent
12 agreement or a stipulation issued or entered into by the board or its
13 executive director pursuant to this chapter.

14 17. Failing to comply with a board subpoena or failing to comply in
15 a timely manner with a board subpoena without providing any explanation to
16 the board for not complying with the subpoena.

17 18. Failing to provide the board or its employees or agents or an
18 authorized federal or state official conducting a site investigation,
19 inspection or audit with access to any place for which a permit has been
20 issued or for which an application for a permit has been submitted.

21 19. Failing to notify the board of a change of ownership,
22 management or pharmacist in charge.

23 20. Failing to promptly produce on the request of the official
24 conducting a site investigation, inspection or audit any book, record or
25 document.

26 21. Overruling or attempting to overrule a pharmacist in matters of
27 pharmacy ethics or interpreting laws pertaining to the practice of
28 pharmacy or the distribution of drugs or devices.

29 22. Distributing premiums or rebates of any kind in connection with
30 the sale of prescription medication, other than to the prescription
31 medication recipient.

32 23. Failing to maintain effective controls against the diversion of
33 controlled substances or precursor chemicals to unauthorized persons or
34 entities.

35 24. Fraudulently claiming to have performed a service.

36 25. Fraudulently charging a fee for a service.

37 26. Advertising drugs or devices, or services pertaining to drugs
38 or devices, in a manner that is untrue or misleading in any particular,
39 and that is known, or that by the exercise of reasonable care should be
40 known, to be untrue or misleading.

41 B. In this chapter, unless the context otherwise requires, for the
42 purposes of disciplining a pharmacist or pharmacy intern, "unprofessional
43 conduct" means the following, whether occurring in this state or
44 elsewhere:

1 1. Using alcohol or other drugs to such a degree as to render the
2 licensee unfit to practice the profession of pharmacy.

3 2. Violating any federal or state law, rule or regulation relating
4 to the manufacture or distribution of drugs and devices or the practice of
5 pharmacy.

6 3. Dispensing a different drug or brand of drug in place of the
7 drug or brand of drug ordered or prescribed without the express permission
8 in each case of the orderer, or in the case of a prescription order, the
9 medical practitioner. The conduct prohibited by this paragraph does not
10 apply to substitutions authorized pursuant to section 32-1963.01.

11 4. Obtaining or attempting to obtain a license to practice pharmacy
12 or a license renewal by fraud, by misrepresentation or by knowingly taking
13 advantage of the mistake of another person or an agency.

14 5. Having the licensee's license to practice pharmacy denied or
15 disciplined in another jurisdiction.

16 6. Claiming professional superiority in compounding or dispensing
17 prescription orders.

18 7. Failing to comply with the mandatory continuing professional
19 pharmacy education requirements of sections 32-1936 and 32-1937 and rules
20 adopted by the board.

21 8. Committing a felony, whether or not involving moral turpitude,
22 or a misdemeanor involving moral turpitude or any drug-related offense.
23 In either case, conviction by a court of competent jurisdiction or a plea
24 of no contest is conclusive evidence of the commission.

25 9. Working under the influence of alcohol or other drugs.

26 10. Violating a federal or state law or administrative rule
27 relating to marijuana, prescription-only drugs, narcotics, dangerous
28 drugs, controlled substances or precursor chemicals when determined by the
29 board or by conviction in a federal or state court.

30 11. Knowingly dispensing a drug without a valid prescription order
31 as required pursuant to section 32-1968, subsection A.

32 12. Knowingly dispensing a drug on a prescription order that was
33 issued in the course of the conduct of business of dispensing drugs
34 pursuant to diagnosis by mail or the internet, unless the order was any of
35 the following:

36 (a) Made by a physician who provides temporary patient supervision
37 on behalf of the patient's regular treating licensed health care
38 professional or provides a consultation requested by the patient's regular
39 treating licensed health care professional.

40 (b) Made in an emergency medical situation as defined in
41 section 41-1831.

42 (c) Written to prepare a patient for a medical examination.

43 (d) Written or the prescription medications were issued for use by
44 a county or tribal public health department for immunization programs or
45 emergency treatment or in response to an infectious disease investigation,

1 a public health emergency, an infectious disease outbreak or an act of
2 bioterrorism. For the purposes of this subdivision, "bioterrorism" has
3 the same meaning prescribed in section 36-781.

4 (e) Written or antimicrobials were dispensed by the prescribing or
5 dispensing physician to a contact as defined in section 36-661 who is
6 believed to have had significant exposure risk as defined in section
7 36-661 with another person who has been diagnosed with a communicable
8 disease as defined in section 36-661.

9 (f) Written or the prescription medications were issued for
10 administering immunizations or vaccines listed in the United States
11 centers for disease control and prevention's recommended immunization
12 schedule to a household member of a patient.

13 (g) For epinephrine delivery systems that are written or dispensed
14 for a school district or charter school and that are to be stocked for
15 emergency use pursuant to section 15-157 or for an authorized entity to be
16 stocked pursuant to section 36-2226.01.

17 (h) For glucagon that is written or dispensed for a school district
18 or charter school and that is to be stocked for emergency use pursuant to
19 section 15-344.01.

20 (i) Written by a licensee through a telehealth program that is
21 covered by the policies and procedures adopted by the administrator of a
22 hospital or outpatient treatment center.

23 (j) Written pursuant to a physical or mental health status
24 examination that was conducted through telehealth as defined in section
25 36-3601 and consistent with federal law.

26 (k) For naloxone hydrochloride or any other opioid antagonist
27 approved by the United States food and drug administration and written or
28 dispensed for use pursuant to section 36-2228 or 36-2266.

29 13. Failing to report in writing to the board any evidence that a
30 pharmacist or pharmacy intern is or may be professionally incompetent, is
31 or may be guilty of unprofessional conduct or is or may be mentally or
32 physically unable to safely engage in the practice of pharmacy.

33 14. Failing to report in writing to the board any evidence that a
34 pharmacy technician or pharmacy technician trainee is or may be
35 professionally incompetent, is or may be guilty of unprofessional conduct
36 or is or may be mentally or physically unable to safely engage in the
37 permissible activities of a pharmacy technician or pharmacy technician
38 trainee.

39 15. Failing to report in writing to the board any evidence that a
40 permittee or a permittee's employee is or may be guilty of unethical
41 conduct or is or may be violating this chapter or a rule adopted under
42 this chapter.

43 16. Committing an offense in another jurisdiction that if committed
44 in this state would be grounds for discipline.

- 1 17. Knowingly filing with the board any application, renewal or
2 other document that contains false or misleading information.
- 3 18. Providing false or misleading information or omitting material
4 information in any communication to the board or the board's employees or
5 agents.
- 6 19. Violating or attempting to violate, directly or indirectly, or
7 assisting in or abetting in the violation of, or conspiring to violate
8 this chapter.
- 9 20. Violating a formal order, terms of probation, a consent
10 agreement or a stipulation issued or entered into by the board or its
11 executive director pursuant to this chapter.
- 12 21. Failing to comply with a board subpoena or failing to comply in
13 a timely manner with a board subpoena without providing any explanation to
14 the board for not complying with the subpoena.
- 15 22. Refusing without just cause to allow authorized agents of the
16 board to examine documents that are required to be kept pursuant to this
17 chapter or title 36.
- 18 23. Participating in an arrangement or agreement to allow a
19 prescription order or a prescription medication to be left at, picked up
20 from, accepted by or delivered to a place that is not licensed as a
21 pharmacy. This paragraph does not prohibit a pharmacist or a pharmacy
22 from using an employee or a common carrier to pick up prescription orders
23 at or deliver, **UNLESS PROHIBITED BY FEDERAL LAW**, prescription medications
24 to ~~the office or home of~~ a medical ~~practitioner~~ **PRACTITIONER'S HOME OR**
25 **OFFICE**, the **PATIENT'S** residence, ~~of a patient or a patient's~~ **A hospital,**
26 **LONG-TERM CARE FACILITY OR WORKPLACE OR ANOTHER DESIGNATED PHYSICAL**
27 **ADDRESS PROVIDED BY THE PATIENT WHERE THE PATIENT OR THE PATIENT'S**
28 **DESIGNATED AGENT IS AVAILABLE TO RECEIVE A DELIVERY.**
- 29 24. Paying rebates or entering into an agreement for paying rebates
30 to a medical practitioner or any other person in the health care field.
- 31 25. Providing or causing to be provided to a medical practitioner
32 prescription order blanks or forms bearing the pharmacist's or pharmacy's
33 name, address or other means of identification.
- 34 26. Fraudulently claiming to have performed a professional service.
- 35 27. Fraudulently charging a fee for a professional service.
- 36 28. Failing to report a change of the licensee's home address,
37 contact information, employer or employer's address as required by section
38 32-1926.
- 39 29. Failing to report a change in the licensee's residency status
40 as required by section 32-1926.01.
- 41 30. Failing to maintain effective controls against the diversion of
42 controlled substances or precursor chemicals to unauthorized persons or
43 entities.
- 44 C. In this chapter, unless the context otherwise requires, for the
45 purposes of disciplining a pharmacy technician or pharmacy technician

- 1 trainee, "unprofessional conduct" means the following, whether occurring
2 in this state or elsewhere:
- 3 1. Using alcohol or other drugs to such a degree as to render the
4 licensee or registrant unfit to perform the licensee's or registrant's
5 employment duties.
 - 6 2. Violating a federal or state law or administrative rule relating
7 to the manufacture or distribution of drugs or devices.
 - 8 3. Obtaining or attempting to obtain a pharmacy technician license
9 or license renewal or pharmacy technician trainee registration by fraud,
10 by misrepresentation or by knowingly taking advantage of the mistake of
11 another person or an agency.
 - 12 4. Having the licensee's license to practice as a pharmacy
13 technician denied or disciplined in another jurisdiction.
 - 14 5. Failing to comply with the mandatory continuing professional
15 education requirements of section 32-1925, subsection H and rules adopted
16 by the board.
 - 17 6. Committing a felony, whether or not involving moral turpitude,
18 or a misdemeanor involving moral turpitude or any drug-related
19 offense. In either case, conviction by a court of competent jurisdiction
20 or a plea of no contest is conclusive evidence of the commission.
 - 21 7. Working under the influence of alcohol or other drugs.
 - 22 8. Violating a federal or state law or administrative rule relating
23 to marijuana, prescription-only drugs, narcotics, dangerous drugs,
24 controlled substances or precursor chemicals when determined by the board
25 or by conviction in a federal or state court.
 - 26 9. Failing to report in writing to the board any evidence that a
27 pharmacist or pharmacy intern is or may be professionally incompetent, is
28 or may be guilty of unprofessional conduct or is or may be mentally or
29 physically unable to safely engage in the practice of pharmacy.
 - 30 10. Failing to report in writing to the board any evidence that a
31 pharmacy technician or pharmacy technician trainee is or may be
32 professionally incompetent, is or may be guilty of unprofessional conduct
33 or is or may be mentally or physically unable to safely engage in the
34 permissible activities of a pharmacy technician or pharmacy technician
35 trainee.
 - 36 11. Failing to report in writing to the board any evidence that a
37 permittee or a permittee's employee is or may be guilty of unethical
38 conduct or is or may be violating this chapter or a rule adopted under
39 this chapter.
 - 40 12. Committing an offense in another jurisdiction that if committed
41 in this state would be grounds for discipline.
 - 42 13. Knowingly filing with the board any application, renewal or
43 other document that contains false or misleading information.

1 14. Providing false or misleading information or omitting material
2 information in any communication to the board or the board's employees or
3 agents.

4 15. Violating or attempting to violate, directly or indirectly, or
5 assisting in or abetting in the violation of, or conspiring to violate
6 this chapter.

7 16. Violating a formal order, terms of probation, a consent
8 agreement or a stipulation issued or entered into by the board or its
9 executive director pursuant to this chapter.

10 17. Failing to comply with a board subpoena or failing to comply in
11 a timely manner with a board subpoena without providing any explanation to
12 the board for not complying with the subpoena.

13 18. Failing to report a change of the licensee's or registrant's
14 home address, contact information, employer or employer's address as
15 required by section 32-1926.

16 19. Failing to report a change in the licensee's or registrant's
17 residency status as required by section 32-1926.01.

18 Sec. 2. Section 32-1925, Arizona Revised Statutes, is amended to
19 read:

20 32-1925. Renewal of license of pharmacists, interns and
21 pharmacy technicians; fees; expiration dates;
22 penalty for failure to renew; continuing education

23 A. Except for interns and pharmacy technician trainees, the board
24 shall assign all persons who are licensed under this chapter to one of two
25 license renewal groups. Except as provided in section 32-4301, a holder
26 of a license certificate designated in the licensing database as even by
27 way of verbiage or numerical value shall renew it biennially on or before
28 November 1 of the even-numbered year, two years after the last renewal
29 date. Except as provided in section 32-4301, a holder of a license
30 certificate designated in the licensing database as odd by way of verbiage
31 or numerical value shall renew it biennially on or before November 1 of
32 the odd-numbered year, two years after the last renewal date. Failure to
33 renew and pay all required fees on or before November 1 of the year in
34 which the renewal is due suspends the license. The board shall vacate a
35 suspension when the licensee pays all past due fees and reinstatement
36 penalties. Reinstatement penalties shall not exceed \$350. The board may
37 waive collection of a fee or reinstatement penalty due after suspension
38 under conditions established by a majority of the board.

39 B. A person shall not apply for license renewal more than sixty
40 days before the expiration date of the license.

41 C. A person who is licensed as a pharmacist or a pharmacy
42 technician and who has not renewed the license for five consecutive years
43 shall furnish to the board satisfactory proof of fitness to be licensed as
44 a pharmacist or a pharmacy technician. A person whose license has lapsed

1 for two or more renewal cycles shall pay the fees for the two most recent
2 renewal cycles and the penalties before being reinstated.

3 D. Biennial renewal fees for licensure shall be not more than:

4 1. For a pharmacist, \$250.

5 2. For a pharmacy technician, \$100.

6 3. For a duplicate renewal license, \$25.

7 E. Fees that are designated to be not more than a maximum amount
8 shall be set by the board for the following two fiscal years beginning
9 November 1. The board shall establish fees THAT ARE approximately
10 proportionate to the maximum fee allowed to cover the board's anticipated
11 expenditures for the following two fiscal years. Variation in a fee is
12 not effective except at the expiration date of a license.

13 F. The board shall not renew a license for a pharmacist unless the
14 pharmacist has complied with the mandatory continuing professional
15 pharmacy education requirements of sections 32-1936 and 32-1937. A
16 PHARMACIST MAY COMPLETE THE MANDATORY CONTINUING PROFESSIONAL PHARMACY
17 EDUCATION REQUIREMENTS AFTER SUBMITTING A RENEWAL APPLICATION AND PAYING
18 THE APPLICABLE RENEWAL FEE, BUT THE CONTINUING EDUCATION REQUIREMENTS MUST
19 BE COMPLETED BEFORE THE PHARMACIST'S LICENSE EXPIRES FOR THAT RENEWAL
20 CYCLE. THE BOARD SHALL UPDATE AND MAINTAIN THE RENEWAL APPLICATION AND
21 RENEWAL PROCEDURES TO BE CONSISTENT WITH THIS SUBSECTION.

22 G. The board shall prescribe intern licensure renewal fees that do
23 not exceed \$75. The license of an intern who does not receive specific
24 board approval to renew the intern license or who receives board approval
25 to renew but who does not renew and pay all required fees before the
26 license expiration date is suspended after the license expiration date.
27 The board shall vacate a suspension if the licensee pays all past due fees
28 and penalties. Penalties shall not exceed \$350. The board may waive
29 collection of a fee or penalty due after suspension under conditions
30 established by the board.

31 H. The board shall not renew a license for a pharmacy technician
32 unless that person has a current board-approved license and has complied
33 with board-approved mandatory continuing professional education
34 requirements. A PHARMACY TECHNICIAN MAY COMPLETE THE MANDATORY CONTINUING
35 PROFESSIONAL PHARMACY EDUCATION REQUIREMENTS AFTER SUBMITTING A RENEWAL
36 APPLICATION AND PAYING THE APPLICABLE RENEWAL FEE, BUT THE CONTINUING
37 EDUCATION REQUIREMENTS MUST BE COMPLETED BEFORE THE PHARMACY TECHNICIAN'S
38 LICENSE EXPIRES FOR THAT RENEWAL CYCLE. THE BOARD SHALL UPDATE AND
39 MAINTAIN THE RENEWAL APPLICATION AND RENEWAL PROCEDURES TO BE CONSISTENT
40 WITH THIS SUBSECTION. If a pharmacy technician prepares, compounds or
41 dispenses prescription medications at a remote dispensing site pharmacy,
42 the pharmacy technician shall complete, in addition to any other
43 board-approved mandatory continuing professional education requirements, a
44 two-hour continuing education program on remote dispensing site pharmacy
45 practices provided by an approved provider.

- 1 2. ~~The adulteration~~ ADULTERING or misbranding ~~of~~ any drug, device,
2 poison, ~~or~~ hazardous substance.
- 3 3. ~~The alteration, mutilation, destruction, obliteration,~~ ALTERING,
4 MUTILATING, DESTROYING, OBLITERATING or ~~removal of~~ REMOVING the whole or
5 any part of the labeling of, or ~~the~~ doing ~~of~~ any other act with respect
6 to, a drug, device, poison, ~~or~~ hazardous substance, if such AN act is
7 done while ~~such~~ THE article is held for sale and results in ~~such~~ THE
8 article being adulterated or misbranded.
- 9 4. ~~The manufacture, sale~~ MANUFACTURING, SELLING, holding or
10 offering for sale ~~of~~ a counterfeit drug or forging, counterfeiting,
11 simulating, ~~or~~ falsely representing or without proper authority using any
12 mark, stamp, tag, label, ~~or~~ other identification device authorized or
13 required by rules adopted under ~~the provisions of~~ this chapter, ~~or~~ ~~of~~ the
14 federal act.
- 15 5. ~~The~~ Using, on the labeling of any drug or device, ~~or~~ in any
16 advertisement, ~~relating to~~ ~~such~~ A drug or device, ~~of~~ any representation
17 or suggestion that ~~such~~ THE drug or device complies with ~~the provisions of~~
18 this chapter.
- 19 6. In the case of a prescription-only drug or a controlled
20 substance that requires a prescription order by state or federal law, the
21 failure of the manufacturer, packer, ~~or~~ distributor to transmit, to any
22 medical practitioner who makes a written request for information about
23 such A drug, true and correct copies of all printed matter included in any
24 package in which that drug is distributed or other printed matter approved
25 under the federal act.
- 26 7. Engaging in the practice of pharmacy without first having a
27 current license in good standing issued by the board.
- 28 8. Making or offering to make a forged, counterfeit, altered or
29 photocopied prescription or drug order for the purpose of obtaining
30 prescription-only DRUGS or controlled ~~substance drugs~~ SUBSTANCES.
- 31 9. WHOLESALING OR DISTRIBUTING A PRESCRIPTION DRUG OR PRESCRIPTION
32 DEVICE, A CONTROLLED SUBSTANCE, A NONPRESCRIPTION DRUG, A REGULATED
33 CHEMICAL AS DEFINED IN SECTION 13-3401, MEDICAL GAS OR DURABLE MEDICAL
34 EQUIPMENT WITHOUT A VALID BOARD-ISSUED PERMIT.

APPROVED BY THE GOVERNOR JUNE 19, 2026.

FILED IN THE OFFICE OF THE SECRETARY OF STATE JUNE 22, 2026.